THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Volume LVI—No. 5.

(Official Report of the Seventh Session.)

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday the 26th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 8 Hon'ble Ministers and 202 members.

STARRED QUESTIONS

(to which oral answers were given)

Supply of dietary materials and rations to Campbell Hospital.

*232. **Mr. AHMED ALI MRIDHA:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*i*) that a contractor firm styled Messrs. Mirjafar and Brothers has been placed in charge of supply of dietary materials and rations for the Campbell Medical School Hospital;

(*ii*) that one Bireswar Chakravarty is the owner and proprietor of the firm;

(*iii*) that there are many other firms in Calcutta having dealings at present with the Medical Department with assumed Muslim names; and

(*iv*) that the owners and proprietors of those firms are non-Muslims?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability—

(*i*) of holding an enquiry into the matter; and

(*ii*) of ascertaining the number of such cases in Calcutta?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) Yes.

(*ii*) No; the owner and proprietor of the firm is reported to be one Mr. Golam Jabbar Sirdar.

(*iii*) and (*iv*) I am not aware of any firms owned by non-Muslims but with assumed Muslim names having dealings with the Medical Department.

(*b*) Does not arise.

Withdrawal by the Red Cross Society of their annual grants to Berhampore Sadar Hospital.

***233. Mr. SASANKA SEKHAR SANYAL:** (*a*) Is the Hon'ble Minister in charge of the Public Health (Medical) Department aware of the inspection reports of His Excellency the Governor of Bengal and the Hon'ble Mr. Tamizuddin Khan, a Minister of the Government of Bengal, during their respective visits of the Berhampore Sadar Hospital in the year 1939?

(*b*) Has the attention of the Government been drawn to the fact that the Red Cross Society have intimated their intention to discontinue their annual grants?

(*c*) If so, what steps do the Government contemplate to renovate the annual revenues of the said hospital?

(*d*) Have the Government been in communication with the Red Cross Society regarding the withdrawal of their annual grants to the said hospital?

(*e*) If so, how does the matter stand at present?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes.

(*b*) No. It is understood that the letter written by the Red Cross Society to the Berhampore Hospital was intended to convey the information that the Red Cross Society might find it necessary, as a purely war time measure, to reduce the large annual grant which is now made to the hospital.

(*c*) No action is necessary at present. If the grant is actually reduced, any representation that may be made for further assistance from Government will be given due consideration.

(*d*) No.

(*e*) Does not arise.

Mr. SPEAKER: As the Hon'ble Khwaja Sir Nazimuddin will not be able to come to the House to-day, the questions which are to be answered by him will stand over.

Re-excavation of the Balchha river in Mymensingh.

*235. **Maulvi ABUL HOSSAIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware that the Balchha river in police-station Durgapur, Mymensingh, needs re-excavation?

(*b*) If so, when and how was it brought to his notice?

(*c*) Has any scheme been prepared for the same?

(*d*) If so, when is it likely to mature?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): On receiving from the hon'ble member in 1938 a copy of a resolution passed at a meeting over which he presided, I had the proposal for the re-excavation of the river examined and was satisfied that it was not technically sound. The hon'ble member is aware that the possibility of excavating a feeder along a suitable alignment to the low area is being investigated.

Scheduled Caste employees in the Civil Courts of Burdwan district.

*236. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the present number of clerks and menials belonging to the Scheduled Castes in the district of Burdwan; and

(*ii*) their respective qualifications?

(*b*) Is it a fact that some menials belonging to the Scheduled Castes have been discharged recently?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when were they discharged; and

(*ii*) what are their number?

The Hon'ble Mr. A. K. FAZLUL HUQ (on behalf of the Minister in charge of the Judicial Department): (*a*) (*i*) Clerks 3 and menials 11.

(*ii*) Clerks—2 I.A.'s. and one matriculate. Menials—3 matriculates.

(*b*) Served with notices of discharge as the staff will have to be reduced under the rules.

(*c*) (*i*) They are likely to be discharged from the 1st April, 1940.

(*ii*) Three temporary menials.

Distribution of the grant of five lakhs for Scheduled Caste education.

*237. **Babu DEBENDRA NATH DAS:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state how much out of the total grant for Scheduled Caste education has been allotted during the current year to the Burdwan Division, district by district, separately?

(*b*) What proportion does it bear to the total provincial grant?

(*c*) What is the total amount so far spent on scholarships granted to Scheduled Caste students of Burdwan and Birbhum districts reading in colleges and schools?

(*d*) What are the names of—

(*i*) the recipients of scholarships; and

(*ii*) the colleges and schools where they read?

(e) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(i) the total amount so far spent in the shape of grant-in-aid to schools in the Burdwan and Birbhum districts for the benefit of the Scheduled Caste boys;

(ii) the names of such schools; and

(iii) the amount that has been granted to each of them?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (a) and (b) No allotment has been made, district by district, out of the grant of Rs. 5 lakhs for Scheduled Caste education during the current year.

(c) and (d) The figures regarding the amounts so far spent on scholarships for Scheduled Caste students of the Burdwan and Birbhum districts are not readily available.

No scholarships tenable at schools have been awarded out of the Rs. 5 lakhs grant. The particulars of scholarships at colleges are as follows:—

District and scholarship holder.	Amount.	College at which tenable.
Burdwan—	Rs.	
1. Aswini Kumar Mondal	10	Will not prosecute studies and the scholarship will be reawarded.
2. Gourhari Das ..	10	Asutosh College.
3. Panchanan Das ..	10	Not yet joined any college but will join next session from which date the scholarship will be made tenable.
Birbhum—		
4. Batakrishna Saha ..	15	Burdwan College.
5. Kanai Lal Das ..	10	City College.

(e) Lump grants out of the allotment of Rs. 5 lakhs were given to Scheduled Caste secondary schools only. There are no such secondary schools in the districts of Burdwan and Birbhum and therefore no grant-in-aid was sanctioned for any school in those districts.

Publication in the "Ananda Bazar Patrika" of an article regarding multiplication of maktabs.

*238. **Rai HARENDRANATH CHOUDHURI:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether any order was served on the Editor of the *Ananda Bazar Patrika* in respect of certain observations made in a sentence of their leader of the 11th January, regarding the multiplication of *maktabs* and the circumstances compelling the Hindu students to read in maktabs;

(*b*) if so, what are the reasons for the issue of such an order;

(*c*) whether it is a fact that *maktabs* have been rapidly multiplied during the last two decades in Bengal and there are references to it in the report of the Hartog Committee and also in the reports and reviews by Education officers under the Government of India;

(*d*) the respective numbers by which—

(1) non-denominational or general primary schools, and

(2) *maktabs*

increased in the province during the last two decades; and

(*e*) whether it is a fact that in reply to a question in this House the Hon'ble Chief Minister stated that for want of non-denominational or general primary schools Hindu students have to read in *maktabs* in certain areas?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The member is referred to the terms of the order itself, of which a copy is placed on the table.

(*c*) and (*d*) The figures are as follows:—

		Number of non-denominational or general primary schools.	Number of *maktabs*.
1919	.. ..	35,531	11,120
1939	.. ..	36,987	18,851
	Increase ..	+1,456	+7,731

(*e*) Yes, but it does not follow that such *maktabs* are surplus or unnecessary institutions and the order in question required particulars of specific instances of surplus *maktabs*.

Copy of the order referred to in the reply to sub-clause (b) of starred question No. 238.

GOVERNMENT OF BENGAL.

HOME DEPARTMENT.

Political (Press).

ORDER No. 675P.

Calcutta, the 1st February, 1940.

To BABU SATYENDRA NATH MAZUMDAR, Editor, *Ananda Bazar Patrika* Newspaper, 1, Burman Street, Calcutta.

Whereas in its issue of the 11th January, 1940, the *Ananda Bazar Patrika* newspaper published the matter in Schedule I annexed hereto;

And whereas the Provincial Government consider it expedient in the public interest to obtain certain information in respect of the said publication:

Now, therefore, in exercise of the power conferred by sub-rule (*1*) of rule 116 of the Defence of India Rules, the Governor is hereby pleased to order that you Satyendra Nath Mazumdar, the Editor of the said *Ananda Bazar Patrika* newspaper shall, within one week from the date of service upon you of this order, furnish to the Additional Secretary to the Government of Bengal, Home Department, the particulars set forth in Schedule II annexed hereto;

Schedule I.

In the article entitled "Mass-education" the following:—

* * * * Due to the establishment of a number of surplus *maktabs* Hindu students have, perforce, to read in *maktabs*. Consequently, they suffer from difficulties.

Schedule II.

Particulars of specific instances in which, as alleged, surplus *maktabs* have been established and Hindus have been compelled to study therein.

By order of the Governor,

Sd. A. E. PORTER,

Additional Secretary to the Government of Bengal.

Rai HARENDRANATH CHOUDHURI: Will the Hon'ble Minister be pleased to state whether the increase in the number of primary schools has kept pace with the number of students in the primary schools?

The Hon'ble Mr. A. K. FAZLUL HUQ: The whole question of setting up of ordinary primary schools received a setback when we were considering the question of the establishment of schools under the Act. As for details, I have already called the conference which I promised the other day where all these matters might be properly discussed.

Rai HARENDRANATH CHOUDHURI: Will the Hon'ble Minister be pleased to state what was the offence in the statement that was made in the *Ananda Bazar Patrika* which was as follows:—

"প্রয়োজনের অতিরিক্ত সংখ্যক মক্তাব প্রতিষ্ঠিত হওয়ায় অনেক স্থলে হিন্দু ছাত্রদের বাধ্য হইয়া মক্তাবে অধ্যয়ন করিতে হয়।"

The Hon'ble Mr. A. K. FAZLUL HUQ: As I said on a previous occasion, to a certain extent, the charge is correct; but as a general implication, it may be objectionable.

Rai HARENDRANATH CHOUDHURI: In view of the reply the Hon'ble Minister has given just now, will he be pleased to take necessary steps to withdraw the order against the *Ananda Bazar Patrika*?

The Hon'ble Mr. A. K. FAZLUL HUQ: I may say, Sir, that as a matter of fact, it was not possible for the paper to give any specific instance, although the news was spread over the whole of the province. But I can give the assurance that this matter will not be pursued any further.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state if the observation which was made in the paper could not be considered to be an absolutely legitimate criticism on the part of a newspaper?

The Hon'ble Mr. A. K. FAZLUL HUQ: The point to which I took objection—I may refer to the English translation—is this, "the establishment of a number of surplus *maktabs*." I do not admit that

these *maktabs* were surplus. It would imply that Government were deliberately setting up *maktabs* unnecessarily in order to cause an impediment to the Hindu boys reading in primary schools.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to state whether this letter was sent for information which was asked for by the department concerned for the purpose of seeing that these grievances, if real, should not be allowed to continue? Was that the reason?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes. That is the reason because we knew that the allegation that surplus *maktabs* were causing difficulties to Hindu boys was not true. We wanted facts, and we knew that facts could not be given, and the charge would remain unsubstantiated. That was the reason.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be pleased to consider whether this action on the part of Government might not convey the impression to the newspaper in question that Government would not encourage any such representation of grievances of a public newspaper?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think so. Grievances may be certainly discussed in newspapers, but when they contain an allegation that Government is pursuing a policy deliberately of setting up surplus institutions in order to cause inconvenience to other communities, then that is a proposition which we must challenge.

Rai HARENDRANATH CHOUDHURI: Will the Hon'ble Minister be pleased to state if the facts revealed open to the interpretation that the number of *maktabs* has been increased much more than——

Mr. SPEAKER: That is a matter of opinion.

Rai HARENDRANATH CHOUDHURI: Sir, the Hon'ble Chief Minister alleges that the paper could not substantiate the charge. What I beg to submit is that the development of *maktabs* and primary schools as disclosed by their respective numbers is capable of interpretation that the *maktabs* have increased more than the primary schools.

Mr. SPEAKER: That question does not arise.

Fisheries settled by the East India Company.

***240. Mr. DHANANJOY ROY:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether there are existing at present any fisheries in Bengal, settled by the East India Company?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) the names of those fisheries;

(*ii*) their respective *tauzi* numbers;

(*iii*) the terms of their settlement;

(*iv*) annual Government revenue;

(*v*) the names of their owners;

(*vi*) which of the fisheries in Bengal were settled at the time of permanent settlement according to *daul* records of the Government and on what terms;

(*vii*) which of the fisheries were settled by the Government after the Permanent Settlement;

(*viii*) the names of those fisheries;

(*ix*) their respective *tauzi* numbers;

(*x*) their terms of settlement;

(*xi*) annual Government revenue; and

(*xii*) names of their owners?

(*c*) Will the Hon'ble Minister be pleased to state whether there is any rent free fishery?

(*d*) If so, where are they and what are their respective boundaries?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) which are the Government fisheries according to the Revenue Board's circular No. 6 of 1866;

(*ii*) what are their respective *tauzi* numbers; and

(*iii*) what are the rents assessed respectively by the Government for those fisheries?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): The trouble and expense of collecting this information would be incommensurate with its value and Government are therefore not prepared to incur it.

Babu MADHUSUDAN SARKAR: In view of the answer given by the Hon'ble Minister, may I be permitted to ask the Hon'ble

Minister whether he has noticed that the existing fisheries in Bengal are going to be destroyed by the whimsical action and taxation of the zemindars taking settlement under the East India Company or Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I had occasion to state more than once on the floor of this House that the whole question was under investigation and Government had received an elaborate report from the Special Officer appointed to enquire into the problem and that report is being examined.

Splitting up of the Muhammadan Marriage Registration office at Jamalpur, Mymensingh.

***241. Maulvi ABUL HOSSAIN AHMAD:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact—

(*i*) that the Muhammadan Marriage Registrar's office of Jamalpur in the district of Mymensingh is going to be split up into three offices;

(*ii*) that the District Advisory Committee at its meeting held in July, 1939, recommended the establishment of two more offices at the thana headquarters of Melanda and Madarganj in the same subdivision when the Jamalpur office is split up;

(*iii*) that the said recommendation of the Advisory Committee has not been accepted; and

(*iv*) that the local authorities have recommended the establishment of one Kazi office at Nandina in the same thana of Jamalpur instead of at Madarganj thana?

(*b*) Is the Hon'ble Minister aware—

(*i*) that the Unions of Madarganj thana are not well connected by any accessible means of communications either with Jamalpur headquarters or with Melanda thana headquarters; and

(*ii*) that Nandina is only 6 miles off from Jamalpur and is connected by railway, river and District Board Road communications?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason why the new office is going to be established at Nandina?

(*d*) Is the Hon'ble Minister considering the desirability of starting the Kazi office at Madarganj thana instead of at Nandina in the same thana of Jamalpur and mitigating the hardship of the public in matters of communications?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*ii*) Yes.

(*a*) (*iii*), (*iv*), (*b*) (*i*), (*ii*), (*c*) and (*d*) The question of the jurisdiction and headquarters of the proposed new offices is under consideration. The Inspector-General of Registration discussed the matter with the District Registrar and others at Mymensingh during his recent visit there. On the receipt of District Registrar's further report the Inspector-General will submit his recommendation for orders of Government. All relevant points on the subject will receive consideration before Government orders are passed.

Khan Sahib HAMIDUDDIN AHMED: Will the Hon'ble Minister be pleased to state if he is aware that the District Anjuman had also suggested the establishment of new offices at the thana headquarters before setting up of any particular thana?

The Hon'ble Mr. A. K. FAZLUL HUQ: Representations have been received from the Anjumans and they have been sent to the Inspector-General of Registration and all representations will be considered when final orders are passed.

Superintendent of the Royal Botanical Garden, Sibpur.

***241A. Mr. MIA ABDUL HAFIZ:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) whether the Superintendent, Royal Botanical Garden, Sibpur, was formerly an *ex-officio*—

(1) Director of Botanical Survey of India;

(2) Superintendent of Cinchona Cultivation; and

(3) Scientific Adviser to the Government of India;

(*ii*) whether it is a fact that the present incumbent is no longer required to perform the additional duties referred to in (*i*);

(*iii*) what are the duties performed by the present incumbent of the post;

(*iv*) whether it is a fact that the staff employed in the Royal Botanical Garden, Sibpur, consists of three gazetted officers;

(*v*) what is the scale of pay of the Superintendent of the Royal Botanical Garden, Sibpur; and

(*vi*) whether Government contemplate abolition of this post?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*i*) The late Superintendent of the Royal Botanical Garden (Mr. C. C. Calder) carried on the duties of the Director of Botanical Survey of India and the Superintendent of Cinchona Cultivation in addition to his own duties. He was not the Scientific Adviser to the Government of India.

(*ii*) He is now carrying on the function of the Director, Botanical Survey of India, only in so far as the supervision of the work of the systematic assistant is concerned.

(*iii*) The Superintendent of the Royal Botanical Garden has a two-fold function, viz., Botanical research and administration of the Garden. He has been carrying on Botanical research of a high order and some of his works have been highly appreciated by distinguished authorities in the line. The administration of the Garden involves duties and responsibilities of an onerous character. Apart from the supervision of the works of the subordinate staff, the Superintendent has to see to the collection and rearing of the various species of plants, etc., which are very valuable from the standpoint of Botanical research and education. In fact, the Garden is the only one of its kind in India and next only to Kew Garden in London in point of importance. As stated above, the Superintendent has also been temporarily entrusted with the duties of the supervision of the work of the Systematic Assistant employed under the Botanical Survey of India pending permanent arrangement for the work of the Director, Botanical Survey of India. The Superintendent is also in administrative charge of the Eden Gardens, Curzon Park and the Dalhousie Square in Calcutta, and the Lloyd Botanical Garden at Darjeeling.

(*iv*) The staff including the staff attached to the Calcutta Gardens and the Lloyd Botanical Garden, Darjeeling, consists of 6 gazetted officers including the Superintendent, besides a large subordinate staff consisting of Overseers, Herbarium Assistant, Artists, Store-keepers, Sarkers, Printers, etc., and a large menial staff required for the proper care and maintenance of the Garden.

(*v*) The scale of the pay of the present incumbent of the post is Rs. 700—40—900—50—1,050 which is personal to him.

(*vi*) No.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Membership of certain Trade Unions in Calcutta.

116. Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state the number of membership of the following unions, viz.:—

(1) All-Bengal Rickshaw Union,

(2) Calcutta Biri Union,

(3) Calcutta Dockers' Union, and

(4) Bengal Saloon Workers' Union,

all located at 57-D, Chittaranjan Avenue, Calcutta,—

(*i*) as shown in their respective annual returns to the Registrar of Trade Unions for the year ending 31st March, 1939;

(*ii*) as shown in their respective application made before the Trade Union Constituencies Tribunal; and

(*iii*) as shown in their respective list of members submitted to the Electoral Roll Officer, Corporation of Calcutta, for inclusion in the Electoral Roll of the Labour Constituency of the Calcutta Corporation?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): A statement is laid on the Library table.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state what is the reason for the sudden increase in the number of membership of the All-Bengal Rickshaw Union at the time when the list was submitted to the Electoral Roll Officer of the Calcutta Corporation as compared to the list submitted to the Trade Union Tribunal? At the time when the list was submitted to the Tribunal the number of membership was 443. At the time of submitting the list to the Electoral Roll Officer of the Calcutta Corporation, the number of membership was 9,381. That is a big jump. Will the Hon'ble Minister be pleased to state the reason of the sudden jump?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I do not know whether it falls under my jurisdiction and responsibility.

Mr. SPEAKER: Is the Hon'ble Minister responsible for it?

Dr. SURESH CHANDRA BANERJEE: As he is the Member in charge of Labour and as this question is in connection with labour, so the responsibility lies with him.

Mr. SPEAKER: I do not think so.

Dr. SURESH CHANDRA BANERJEE: Sir, I have got another submission. This is a question which vitally concerns the election in the Labour Constituency of the Calcutta Corporation and this being a labour matter, the only place where we can get——

Mr. SPEAKER: You can ask that question, but it does not arise out of this.

Dr. SURESH CHANDRA BANERJEE: It arises, because the Hon'ble Minister refers to the list which has been laid on the table, and I am quoting the figures from that statement.

Mr. SPEAKER: But is the Hon'ble Minister responsible for it?

Mr. SIBNATH BANERJEE: Does the Hon'ble Minister deny that he is the God-Father of these unions?

Mr. SPEAKER: I am not supposed to go into the question as to who is the God-Father?

Dr. SURESH CHANDRA BANERJEE: As the Hon'ble Minister has been pleased to answer my question and has laid a statement on the library table, so I believe he should be able to answer.

Mr. SPEAKER: You can ask whether the Hon'ble Minister can say why there has been much difference.

Dr. SURESH CHANDRA BANERJEE: That was my question, Sir.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I have no official information, but I can surmise.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state what does he mean by saying that he has not got official information as regards the increase? It is on the library table.

Mr. SPEAKER: He has no official information why there has been an increase.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to enquire into the matter at an early date so that before the election——

Mr. SPEAKER: That does not arise. You can ask whether the Hon'ble Minister will be so pleased as to enquire!

The Hon'ble Mr. H. S. SUHRAWARDY: From whom am I to make the enquiry? After all, Sir, the increase in the number of members of unions is their own concern.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether the number of members as shown in the application made before the Trade Union Constituencies Tribunal was made in September, 1939? Applications were made in September, 1939; number of membership is shown as in September, 1939.

The Hon'ble Mr. H. S. SUHRAWARDY: No, that is not so. When the application was made, it was clearly understood that the names of all the members need not be inserted in the application.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether it is a fact that all the unions were notified that up-to-date figures were given by the unions concerned? Whether any notice was given by the Tribunal that all the unions must supply up-to-date information?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware of that, Sir. So far as I am aware, under the rules the Tribunal is only to ascertain whether there are 250 *bonâ fide* members or not who have paid their subscription for the previous year and if they find that, they will give recognition even though the union may have, say, 9,000 members.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether the figures submitted to the Electoral Roll Officer of the Calcutta Corporation were submitted in October, 1939?

The Hon'ble Mr. H. S. SUHRAWARDY: That is more than I can say.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state whether according to the Act and the Rules made thereunder it was not only the members that were in the register of the Trade Unions at the time when the report was sent to the Registration Officer that number was to be taken——

Mr. SPEAKER: That is a matter of legal opinion.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister consider the desirability of enquiring how the membership of these unions in one month increased 25 times?

Mr. SPEAKER: He does not accept that.

Mr. SIBNATH BANERJEE: Sir, the fact is that on the 31st March, 1939, the figure given by the Trade Union Registrar is 397; in September 423, and in October 3,981. Will the Hon'ble Minister consider the desirability of enquiring into the sudden jump in membership by 25 times?

The Hon'ble Mr. H. S. SUHRAWARDY: I see no reason why I should enquire into the question as to why the Trade Union has become suddenly so popular. I can only suggest that it is in pursuance of the policy of Government to encourage Trade Unions.

Objection against certification of some Trade Unions.

117. Dr. SURESH CHANDRA BANERJEE: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state whether it is a fact that objections were raised before the Trade Union Constituencies Tribunal by the Labour Commissioner to the Government of Bengal against certifications being given to some trade unions for their inclusion in their register as honorary members of such persons as the questioner and two other M.L.A.'s?

(*b*) Is it a fact that the Labour Commissioner while raising objections read before the Tribunal extracts from speeches of Soumyendra Nath Tagore recorded by the staff of the Intelligence Branch and the police?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) No objection was raised by the Labour Commissioner on the ground of any member of the Legislative Assembly being an honorary member of any trade union.

(*b*) The Labour Commissioner placed before the Tribunal the gist of one or two speeches of Soumyendra Nath Tagore. The Labour Commissioner offered to call the police officers to prove the reports, but the Tribunal did not think it necessary to examine them.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state what was the reason for the Labour Commissioner asking the police about the gist of one of the speeches of Soumyendra Nath Tagore? Has this speech any connection with the recognition of Trade Unions?

The Hon'ble Mr. H. S. SUHRAWARDY: I understand that one of the questions which the Tribunal has to decide in considering as to whether it should give recognition for the purpose of franchise is whether it is a *bonâ fide* Trade Union or not, and I believe that the speeches of Soumyendra Nath Tagore must have had some relevance on the question of *bonâ fides*.

Dr. SURESH CHANDRA BANERJEE: May I know what reference has that particular speech at a public meeting to the question of recognition of Trade Unions?

Mr. SPEAKER: It is because of the desire of the Tribunal; but why the Tribunal wanted it, it is not for the department to know.

Dr. SURESH CHANDRA BANERJEE: Sir, is the Labour Minister sure that it was the desire of the Tribunal? I think, the Labour Commissioner of his own accord asked for that information.

The Hon'ble Mr. H. S. SUHRAWARDY: The Tribunal had to decide regarding the *bonâ fides* of every Trade Union, and on that occasion the Labour Commissioner presumably placed the gist of the speech of Soumyendra Nath Tagore.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether it is a fact that the Labour Commissioner did object to three M.L.As. being office-bearers of Trade Unions, whatever the reasons?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. All M.L.As. can become honorary members of Trade Unions without any objection on our part.

Mr. SIBNATH BANERJEE: Sir, my question has not been answered. I want to know whether the Labour Commissioner did actually object to three members of this House becoming office-bearers of Trade Unions?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir, he did not.

Dr. SURESH CHANDRA BANERJEE: Is the Hon'ble Minister aware that the Labour Commissioner actually objected to recognition being given to some unions because they had in their membership list some members of this House?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir, not on that ground.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state what was the reason for the Labour Commissioner refusing recognition to three unions?

The Hon'ble Mr. H. S. SUHRAWARDY: The Labour Commissioner objected on various grounds not only to these three unions but, several other unions, the grounds being set out in the Provincial Assembly's Order.

Dr. SURESH CHANDRA BANERJEE: What was the special reason for refusing recognition to these three unions? Our difficulty is that it is a fact that the Labour Commissioner actually objected to recognition being given to some unions.

The Hon'ble Mr. H. S. SUHRAWARDY: May I point out, Sir, that I have nothing to conceal here. There was no objection raised at any time by the Labour Commissioner to any honourable member of this House becoming a member of the Trade Union, but certain Trade Unions with which some honourable members are connected are Trade Unions which could not be considered to be *bonâ fide* Trade Unions.

Dr. SURESH CHANDRA BANERJEE: Is it a fact that recognition was refused to the Calcutta Sramik Mandal of which I was the President because of the fact of my being an honorary member of the union?

The Hon'ble Mr. H. S. SUHRAWARDY: So far as I know recognition has been given to the Calcutta Sramik Mandal.

Dr. SURESH CHANDRA BANERJEE: Subsequently.

The Hon'ble Mr. H. S. SUHRAWARDY: No, not subsequently.

Conduct of the Inspector in charge of the Bogra Central Co-operative Bank, Ltd.

118. Khan Bahadur MOHAMMAD ALI: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact that the Chairman of the Bogra Central Co-operative Bank made a report against the Inspector of Co-operative Societies in charge of the Bank?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, has been taken on the said report?

(*c*) (*i*) Did the Chairman ask for an enquiry into the matter; and

(*ii*) if no action has been taken, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) Is the Hon'ble Minister aware that a feeling exists amongst the local public over the activities of the Inspector?

(*e*) Is it a fact—

(*i*) that the said Inspector distributed crop loans in contravention of the bye-laws of the Bank and against the instructions of the Provincial Bank; and

(*ii*) that the Board of Directors disapproved this act of his?

(*f*) If so, do the Government contemplate laying on the table a copy of their resolutions in this connection?

(*g*) Is the Hon'ble Minister aware that the Central Bank at the general meeting have withdrawn the powers of the Chief Executive Officer from the Inspector?

(*h*) If so, what action, if any, have the Government taken on that?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) and (*c*) (*i*) The then Chairman of the Bogra Central Bank forwarded a copy of a resolution, dated the 5th September, 1939, of the then Board of Directors containing certain allegations against the departmental Chief Executive Officer of the Bogra Central Bank for necessary action.

(*b*) A departmental enquiry in the matter has been made.

(*c*) (*ii*) Does not arise.

(*d*) No.

(*e*) (*i*) The Inspector distributed individual loans in excess of amount approved by the Provincial Bank in some special cases subject to subsequent sanction of the bank; but no loan was made in excess of what was recommended by the Bogra Central Bank.

(*ii*) and (*f*) A copy of the resolution of the Board of Directors is laid on the table.

(*g*) Yes; but the validity of the general meeting has been contested and it is now the subject matter of a dispute.

(*h*) If the Board of Directors of the Bogra Central Bank do not wish to have the bank managed by a departmental Executive Officer on their behalf, the department has no intention of forcing an officer upon them.

Copy of the resolution referred to in the reply to clauses (a), (e) (ii) and (f) of unstarred question No. 118.

A COPY OF THE PROCEEDINGS No. 4 OF THE DIRECTORS' MEETING OF THE BOGRA CO-OPERATIVE CENTRAL BANK, LTD., HELD ON THE 5TH SEPTEMBER, 1939.

4. To confirm the issue of loans to the newly registered societies and to old societies as per list.

"On the motion of Maulvi Aley Mohammed and seconded by Maulvi Mostulla Khan it was agreed by 9 votes to 3 that whereas it has been brought to the notice of the Board of Directors that Maulvi Mokhlesar Rahman, the present Chief Executive Officer of the Bogra Central Co-operative Bank, Ltd., has been advancing loans to the undeserving persons even violating the direction of the Provincial Bank and the Board of Directors and is reliably reported to canvass in favour of some particular party for the ensuing general election to be held on the 17th September, 1939. While advancing such loans and collecting money he is also exercising unduly his authority beyond powers entrusted to him by the Board of Directors so much so that he has issued unbecoming letters to the Directors curtailing their powers to supervise and control irregularities in the office and he has recalled the supervisors who were deputed by the Board of Directors to certain areas for better collection because these supervisors fail to suit his convenience for canvassing support for a particular party, it is therefore resolved that the Board of Directors has no confidence in his impartiality and equitable administration of works and the powers entrusted to him be withdrawn from him forthwith and a more tactful officer be asked for. A copy of the resolution be immediately sent to the Hon'ble Minister and to the Registrar of Co-operative Societies at once for necessary action."

Sd. MD. ALI,

Chairman.

5-11.

Appointment of House Surgeons for Eden Hospital, Calcutta Medical College.

121. Mr. RASIK LAL BISWAS: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) the names of the House Surgeons who have been appointed for the Eden Hospital of the Calcutta Medical College this year;

(*ii*) the names and qualifications of the candidates who applied for the posts;

(*iii*) who recommended the appointed candidates; and

(*iv*) who selected them finally?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the appointed candidates have got any distinctive qualifications;

(*ii*) when the appointed candidates entered the Medical College as students; and

(*iii*) when they passed the M. B. Examination?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*iii*) The Professors concerned under whom the respective candidates have been appointed.

(*iv*) The Principal in consultation with the College Council.

(*b*) (*i*) Out of five appointed candidates, two candidates, viz., Drs. Lalit Mohan Gupta and Braja Gopal Haldar, have got distinctive qualifications.

(*ii*) and (*iii*) A statement is laid on the table.

Statement referred to in the reply to clause (*a*) (*i*) *and* (*ii*) *of unstarred question No. 121.*

(*a*) (*i*) Dr. Lalit Mohan Gupta.

Dr. Jitendra Nath Ghosh.

Dr. Arun Kumar Banerji.

Dr. Braja Gopal Haldar.

Dr. Murali Mohan Singh Roy.

(*ii*) (1) Dr. Lalit Mohan Gupta, M.B.—Obtained Gold Medal in Chemistry, Silver Medal in Chemistry, and Gold Medal in Zoology; College Scholar—2nd, 4th and 6th years; Goodeve Scholar in Midwifery; Gold Medal in Advanced Midwifery; Certificate of Honours in Medical Jurisprudence.

(2) Dr. Arun Kumar Banerji, M.B.

(3) Dr. Braja Gopal Haldar, M.B.—College Scholar, 2nd and 3rd years; Prosector in Anatomy; Honours in Anatomy; Orfilla Medal in Medical Jurisprudence; Anandalal Sanyal Prize in Midwifery; Green Armytage Prize in Midwifery; Certificate of Honours in Midwifery; Certificate of Honours in Ophthalmic Surgery.

(4) Dr. Jitendra Nath Ghosh, M.B.

(5) Dr. Murali Mohan Singh Roy, M.B.—Obtained 2nd Certificate of Honours in Dental Surgery.

(6) Dr. Sambhunath De, M.B.—D.P.I. Scholar, 2nd and 1st years; College Scholar, 3rd to 5th years; Certificate of Honours in Pathology; Honours in Pathology (Calcutta University).

(7) Dr. Sambhu Prosad Mukherjee, M.B.

(8) Dr. Suresh Bhattacharjee, M.B.

(9) Dr. Anath Nath Banerjee, M.B., Class Assistant in Pathology.

Statement referred to in the reply to clause (b) (ii) and (iii) of unstarred question No. 121.

(*ii*) (1) Dr. Lalit Mohan Gupta—Admitted 1933.

(2) Dr. Jitendra Nath Ghosh—Admitted 1933.

(3) Dr. Arun Kumar Banerji—Admitted 1932.

(4) Dr. Braja Gopal Haldar—Admitted 1932.

(5) Dr. Murali Mohan Singh Roy—Admitted 1933.

(*iii*) (1) Dr. Lalit Mohan Gupta—Passed out in April, 1939.

(2) Dr. Jitendra Nath Ghosh—Passed out in April, 1939.

(3) Dr. Arun Kumar Banerji—Passed out in April, 1938.

(4) Dr. Braja Gopal Haldar—Passed out in April, 1939. He withdrew his name from the rolls of the College after passing the 2nd M.B. Examination in April, 1936, and was readmitted in 1937.

(5) Dr. Murali Mohan Singh Roy—Passed out in November, 1939.

Appointment of Excise officers from among Bengal Civil Service examinees.

122. Maulvi AZHAR ALI: (*a*) Is the Hon'ble Minister in charge of the Forest and Excise Department aware—

(*i*) that there was a Government circular to the effect that two Superintendents and three Inspectors of Excise would be recruited from among the candidates sitting for Bengal Civil Service Examination; and

(*ii*) that the circular referred to above was subsequently cancelled?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of appointments that were made during the period while the circular was in force both in the cadre of—

(1) Superintendent, and

(2) Inspector,

from among the candidates who sat for the Bengal Civil Service Examination; and

(*ii*) the number of such appointments given to—

(1) Hindus,

(2) Muslims,

(3) Scheduled Castes, and

(4) others,

to be shown separately in each of the cadres taken by recruitments?

(*c*) If there has been no recruitment in either of the cadres from the Bengal Civil Service candidates, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) (*i*) An advertisement to this effect was published by the Public Service Commission.

(*ii*) Yes.

(*b*) (*i*) No such appointment was made.

(*ii*) Does not arise.

(*c*) The number of promoted officers in both the cadres having been found inadequate, it was considered necessary to fill up the vacancies by promotion.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state how many posts of Superintendent of Excise fell vacant this year? The Hon'ble Minister says: "The number of promoted officers in both the cadres having been found inadequate, it was considered necessary to fill up the vacancies by promotion." I am asking how many posts were filled up by promotion?

Mr. SPEAKER: I do not understand how this question arises.

Mr. ABDULLA-AL MAHMOOD: Sir, it arises with reference to answer (*c*). I want to know how many posts were filled up by promotion?

The Hon'ble Mr. PRASANNA DEB RAIKUT: As far as I remember, two posts were filled up.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether Government have changed the circular that appointments would be made by promotion and not by recruitment from the Bengal Civil Service successful candidates?

The Hon'ble Mr. PRASANNA DEB RAIKUT: With reference to question (*c*), I have already replied, "the number of promoted officers in both the cadres having been found inadequate, it was considered necessary to fill up the vacancies by promotion."

Mr. ABDULLA-AL MAHMOOD: I would like to know from the Hon'ble Minister whether the Government issued any order changing their former circular that appointments should not be made from the successful Bengal Civil Service candidates but that promotion should be made by the department.

Mr. SPEAKER: The answer is there.

Maulvi AZHAR ALI: Will the Hon'ble Minister be pleased to state what he means by the word "inadequate" in answer (*c*)?

The Hon'ble Mr. PRASANNA DEB RAIKUT: The number of promoted officers in both the cadres was found inadequate.

Maulvi AZHAR ALI: Is not that direct violation of the announcement contained in the Government circular that posts were to be filled up by direct recruitment?

The Hon'ble Mr. PRASANNA DEB RAIKUT: That circular was cancelled.

Maulvi AZHAR ALI: Was it a fact that only to push up non-Muslim candidates in both the cadres this was done?

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, Sir.

Reservation of posts of Muhammadan Marriage Registrars for old scheme Final Madrassah passed Maulvis.

123. Mr. SYED AHMED KHAN: Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state whether the Government contemplate the reservation of the posts of Marriage Registrars (Kazi's) for the employment of the old scheme Final Madrassah passed Maulvis (both from the Madrassah Alia of Calcutta and the Dars, i.e., Nizamia of the upcountry)?

The Hon'ble Mr. A. K. FAZLUL HUQ: The answer is in the negative.

Nomination of members to Birbhum District Board.

124. Dr. SHARAT CHANDRA MUKHERJEE: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the election of the District Board, Birbhum, was over in July, 1939?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state when the names of nominated members will be published in the Gazette?

(*c*) Will the Hon'ble Minister be pleased to state the reason for the delay in publishing the names of the nominated members?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes.

(*b*) The names of the appointed Commissioners were published in the *Calcutta Gazette* of the 14th March, 1940.

(*c*) A number of representations were made by various parties in connection with the question of nominations and Government had to make necessary inquiries into them before passing orders.

Khan Bahadur SHAH ABDUR RAUF: Will the Hon'ble Minister be pleased to state from what date members of the district boards have been designated as "Commissioners"?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, the word "Commissioners" is a printing mistake.

DEMANDS FOR GRANTS.

10—Forests.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 13,06,000 be granted for expenditure under the head "10—Forests."

Sir, I take this opportunity to make a statement on some points in regard to the administration of the Forest Department.

Fresh recruitment to the existing Indian Forest Service has been stopped since the introduction of Provincial Autonomy with a view to abolish the service altogether and to create a new Higher Provincial Service in its place, from which the superior posts in the department will in future be filled up. The scheme for the formation of the new service is almost complete. The two candidates for the new service who have already been deputed to the Forest Research Institute and College at Dehra Dun for training are due to return by the first week of April next after completion of their training, and it is proposed to send another two candidates this year also.

An important need is afforestation in Western Bengal. The Committee appointed in this connection have since submitted a report with their findings and recommendations which are under consideration.

In my last budget speech I referred to the question of management of *khas mahal* forests in Chittagong and of meeting the demands of the tenants.

The following action has since been taken:—

(1) A Committee has been appointed to enquire into the question of the disafforestation of Rampur and Charandwip Blocks of the Chakaria Sundarbans Reserved Forests in the Cox's Bazar subdivision.

(2) A Committee to enquire into the question of grazing will shortly be appointed.

(3) Owing to denudation of forests in Chittagong, immediate disafforestation of the protected forests is neither a practical proposition nor would be conducive to the benefit of the villagers. Steps are however being taken to disafforest at once all plots not containing valuable timber and to fell as quickly as possible timber in the remaining parts of the protected forests which have been so ruined that they cannot, within reasonable time, be brought back to a state of usefulness so as to free the land from grazing or settlement.

(4) Certain concessions in the matter of cheap thatching have been granted.

(5) Action to be taken in the matter of simplification of the procedure for extraction of timber from private forests is under consideration.

(6) Fuel wood passes have been discontinued.

(7) Strong measures are being taken to check corruption amongst Forest subordinate officers.

(8) Two paid *shikaris* and one paid tracker have been employed to kill wild elephants in the Teknaf Range where the damage was reported to be great.

It will thus be seen that Government are doing what is possible under the circumstances to remove the legitimate grievances of the people and at the same time to preserve the forests from ruin.

I now pass on to an explanation of the more important items of new expenditure included in the next year's budget. These are:—

(1) Provision of a reserve for financing unforeseen schemes of an immediately remunerative character.

As has already been said, the Forest Department being quasi-commercial in nature accepts orders for supply of timber or other forest produce to the railways and other commercial bodies at very short notice. The functions of a Forest Utilisation Officer are to find a market for forest produce and to secure orders. As ready money is required for immediate execution of orders, it is proposed to provide the same amount of Rs. 25,000 provided in the current year's budget to enable the department to execute all short notice orders.

(2) Metalling 3¾ miles of the 23rd-mile line road from Communications and Works Department road to Shanghai road, Buxa Division.

The 23rd-mile line road from the Communications and Works road to Shanghai road is one of the most important roads for extraction of timber. This road suffers severe damage consequent on the heavy traffic over it year after year, necessitating thereby its closure against all traffic during the rains, though it is desirable to make the extraction possible throughout the year. The closure of the road entails a loss of revenue up to Rs. 4,000 per annum, whereas the minimum increase in revenue is expected to be Rs. 2,100 per annum if the road could be kept open throughout the year. It is therefore proposed to metal the road at a cost of Rs. 26,000.

(3) Recruitment of two candidates for training at Forest Research Institute and College, Dehra Dun.

It has already been stated that it is the intention of Government to depute another two candidates to the Forest College at Dehra Dun this

year for training with a view to appoint them in the new higher Provincial Service that is being formed. The course of training covers two years, viz., 1940-42, and it is proposed to provide a sum of Rs. 11,400 in the next year's budget to meet the first year's cost.

With these words, Sir, I commend this demand for the consideration of the House.

Mr. MAHIM CHANDRA DAS: I beg to move that the demand of Rs. 13,06,000 under the head "10—Forests" be reduced by Rs. 100.

Mr. Speaker, Sir, আমি এই ছাটাই প্রস্তাব উপস্থিত করিতেছি যে এই দাবী থেকে এক শত টাকা কাটিয়া দেওয়া হোক।

বন-বিভাগের বজেট মন্তব্যে দেখা যায় it follows generally the revised কিন্তু revised হিসাবে দেখা যায় যে আয় গত সনে ছিলো ২৪,৪১,০০০৲ আর এ বৎসরে হবে ২৪,০৭,০০০৲। ব্যয় গত সনে ছিল ১৭,২৪,০০০৲ আর এ বৎসরে হবে ১৭,৭১,০০০৲ সুতরাং স্পষ্টই দেখা যাইতেছে যে আয় না বাড়িয়া ব্যয় বাড়িয়া গেল। মন্তব্যটী এ হিসাবে ঠিক বলা যায় কি না আপনারাই বিবেচনা করিবেন।

বাংলাদেশে বন-বিভাগ প্রকৃতির দান। এবং এ দেশের প্রকৃতিপুঞ্জই তাহার ফল ভোগ করিবার অধিকারী। তথাপি ইহা হইতে ২৪,৪১,০০০৲ টাকা আয় করিতে ১৭,৭১,০০০৲ টাকা খরচ হইবে, অর্থাৎ তহশীল খরচ শতকরা ৭৫৲ টাকা। ৬ লক্ষ টাকা ট্রেজারিতে আনিবার জন্য আমাদের নিকট হইতে সাড়ে ২৪ লাখ টাকা আদায় করা হইতেছে। একে কমার্শিয়াল বলা যায় কি না আপনারা বিবেচনা করুন। আর এই যে টাকাটা আদায় করা হইতেছে, সেও আমাদের কাঠ, বাঁশ, ঘন ও গোচারণ প্রভৃতি হইতেই টাকাটা লওয়া হইতেছে। ইহাকেই বলে গোরু মেরে জুতা দান। (The Hon'ble Mr. MUKUNDA BEHARY MULLICK: দান বলুন।) একে দান বলে না,—লাভই বলে। এ দেশের গরুগুলিকে হত্যা করিয়া গভর্ণমেণ্টের এগার জোড়া জুতা লাভ হোতে পারে মাত্র। এমন ব্যবসা না করিলে কি চলে না? কর্ত্তারা বলেন—আমরা বন রক্ষা কোরছি বোলে তোমরা বৃষ্টির জল পাচ্ছ। কিন্তু যেখানে বন নাই সেখানেও তো বৃষ্টি হয়। কর্ত্তাদের এই যে যুক্তি তাহাতে অনেক বিশেষজ্ঞ এখন সন্দেহ প্রকাশ কোরছেন। কিন্তু আমাদের কর্ত্তারা সে কথায় কর্ণপাত করিবেন না। কারণ সে কথায় কান দিলে তাঁহাদের ১০ লক্ষ টাকার কুপোষ্য প্রতিপালনের সুযোগ নষ্ট হয়। এই সঙ্গে আরও একটা কথা বিবেচ্য। যথা সরকারী ভাবে যে সকল বনজ দ্রব্য নেওয়া হয় তাহার আয় ২½ লক্ষ টাকা কিন্তু নামাবার খরচ ১,৪০,০০০৲; পক্ষান্তরে বেসরকারী ভাবে যাহা নীত হয় তাহার আয় সাড়ে বিশ লক্ষ টাকা, কিন্তু নামাবার খরচ ১,০৮,০০০৲। এই সরকারী ও বেসরকারী কারবারের মধ্যে এই পার্থক্য এত দৃষ্টিকটু যে মাননীয় মন্ত্রী মহাশয়ের চক্ষে কি তাহা পড়িয়াছে? আশা করি চক্ষুলজ্জার খাতিরে একটা কৈফিয়ত দিবেন, কিন্তু শাস্ত্রে আছে কচ্চিৎ সজ্জা নষ্টা। কিন্তু আসল যে কথাটা বলতে চাই তাহা হচ্ছে বন-বিভাগের হৃদয়হীনতা। অবশ্য বন-বিভাগের হৃদয় বলে কোন

জিনিষ থাকবার কথা নয়। কিন্তু বনবিভাগ যাঁরা পরিচালনা করেন তাঁহাদিগকেও কি হৃদয়-হীন হতে হয়? একবার বন-বিভাগের মন্ত্রী মহাশয়কে জিজ্ঞাসা করেছিলাম যে কৃষককে দিন-মজুর করবার নীতি কি সরকার সমর্থন করেন? উত্তর পাইয়াছিলাম হাঁ। ইহা কেবল হৃদয়হীনতা নহে লজ্জাহীনতারও চূড়ান্ত নিদর্শন নহে কি? সেই পুরাতন ইতিহাসটাই বলি। কতকগুলি জুমিয়া ককসৃ বাজার খাসমহলের কিছু জঙ্গল পরিষ্কার করিয়া চাষ আবাদ করিয়াছিল। ফরেষ্টের বড়কর্ত্তার খেয়াল হলো যে উহার নিকটবর্ত্তী পাহাড়টাতে plantation করিবেন। সুতরাং জুমিয়াদের জমিগুলি রিজার্ভের অন্তর্ভুক্ত করা হোলো। তাহাদের বলা হোলো যে জমিগুলি তারা চাষ কোরতে পারে বিনা খাজনায়, কিন্তু plantationএ তাদের কাজ করিতে হইবে। তাদের বোঝান হোলো যে ইহাতে তাহাদের প্রচুর লাভ, সোনায় সোহাগা। মূর্খ জুমিয়া সভ্য জগতের ছলা-কলার সঙ্গে পরিচিত নহে, চুক্তিপত্রে স্বাক্ষর কোরলে—যখন খেয়াল তখনই উচ্ছেদ হবে। তারপর তারা ১০।১২ বৎসর পরমানন্দে বাস কোরে ঘর-বাড়ী কোরলে, স্কুল কোরলে, কোয়াঙ্গ অর্থাৎ বৌদ্ধ ধর্ম্ম মন্দির কোরলে এবং তিনটে পাড়ায় স্ত্রী-পুরুষ বালকবৃন্দ মিলে তিনশো লোক বাস কোরতে লাগলো। কিন্তু বছর দশেক পরে দেখা গেল যে সেখানে plantation সফল হোচ্ছে না, তখন মতলব হোলো যে মাইল পনর বিশেক দূরে অন্য একটী স্থানই ইহার পক্ষে উপযুক্ত। সুতরাং তখন তাদের বলা হলো চল ভাই সকলে মিলে সেখানে যাই। সেখানে কত ভাল জমি আছে। কিন্তু উহারা তখন আর জুমিয়া নাই, কৃষক হোয়েছে, নিজের কর্ষিত জমির উপর মায়া জন্মেছে। ঘর-বাড়ীর উপর মমতা জন্মেছে। সুতরাং তারা আর যেতে চাইলো না। তখন হুকুম হোলো অমুক তারিখের মধ্যে ঘর-বাড়ী উঠাইয়া লও, জমি সরকারের দরকার, জমি ছাড়িয়া দাও, চুক্তিই আছে।

বেচারারা আর কি করে। বলে ছয় মাস সময় দাও। তিন মাস সময় দেওয়া হোলো। পরে তারা বলে ফসলটা উঠলেই যাব, পরে বলে বর্ষাটা যাক। বন-সরকার বোল্লেন—ইহারা অসৎ অতএব সেই হলওয়েলের বটিকা ১৪৪ ধারা জারি। তারপর একদিন হাতি ও হাতিয়ার নিয়ে বন-বিভাগ ও শাসন-বিভাগ সদলবলে উপস্থিত। তারপর তাদের গৃহ ভাঙ্গতে লাগলো, মজুদ শস্য ছারখার কোরতে লাগলো। অসভ্য জুমিয়া জাতি তখনই সভ্যতার মর্ম্ম বুঝিলো, এবং স্ত্রী-পুত্রের আর্ত্তনাদের মধ্যে বৃষ্টিতে ভিজিতে ভিজিতে বৃক্ষ তলে আশ্রয় লইল। ইহাও সম্ভব হইয়াছে, শক্তিমাপের শক্তি প্রতিষ্ঠিত হইয়াছে।

প্রজাদরদি গভর্ণমেণ্ট প্রথমে প্রজাকে বানাইয়া দিলো মজুর, তারপর কোরলো তারে একেবারে ভিটে ছাড়া, সর্ব্বহারা। গভর্ণমেণ্ট কি এই নীতি সমর্থন করেন? অম্লান বদনে উত্তর আসিল—হাঁ। ইহার মতন শোচনীয় অবস্থা মন্ত্রীমণ্ডলের পক্ষে আর কি সম্ভব? অতঃপর প্রধান মন্ত্রী ঘোষণা করিলেন "ইহা হইবে, উহা হইবে, বন-বিভাগের সকল আপত্তি খণ্ডিত হইবে।" ঘোষণার তিন মাস পরে চট্টগ্রাম ফরেষ্টের বড় কর্ত্তাকে জিজ্ঞাসা করিলাম—"ঘোষণার কি হইল?" তিনি বলিলেন "খবরের কাগজে পড়িয়াছি বটে কিন্তু officially কিছু জানি না" অবশেষে জিজ্ঞাসা করিলাম "এই জুমিয়াদের কি কোন গতি হবে? তিনি নূতন কর্ত্তা, বলিলেন যে না তা হোতে পারে না, আগের সাহেবকে তারা বড় দুঃখ দিয়াছে।

দুঃখ দিয়াছে বই কি? সাহেবের খেয়ালের পথে অন্তরায় হইয়াছে। তার খাস্তি তারা ভোগ করিবেই, আপনে হাত দিলে হাত পুড়িবেই। আরো জানি এই যে ইস্পাতের কাঠামো, ইহার চক্ষ ছোতে বাহির ছোয়ে আসবার ক্ষমতা মন্ত্রী মহাশয়ের নাই, মন্ত্রিমণ্ডলেরও নাই। Provincial autonomy আর popular ministry বোলে যতই চেঁচাই না কেন এও জানি যে এই কাঠামো ভাঙ্গিবার শক্তি তাদের নাই। কিন্তু আশ্চর্য্য ছোচ্ছি এই দেখে যে ন্যায় ধর্ম্মের যে একটা সুঘোস নিতান্ত অত্যাচারীরও থাকে, আমাদের কৃষকায় প্রভুরা তাও পরিত্যাগ কোরেছেন। অন্যায় ও অত্যাচার সম্বন্ধে লজ্জা বোধ যে দিন নষ্ট হইয়াছে সেই দিনই অধঃপতনের পথ প্রশস্ত হইয়াছে। তাঁরা যদি ইচ্ছা করেন এখনো সেই হতভাগ্য ভূমিয়াদের জমি তাদের ফিরিয়ে দিতে পারেন। তাদের বাসস্থানে তাদের আবার স্থাপন কোরতে পারেন, আশা করি মন্ত্রী মহাশয় অন্ততঃ চক্ষু লজ্জার খাতিরেও এ ব্যবস্থাটা করবার চেষ্টা কোরবেন।

Mr. KHAGENDRA NATH DAS GUPTA: Sir, I beg to move that the demand of Rs. 13,06,000 under the head "10—Forests" be reduced by Rs. 100.

Sir, in moving this cut motion I cannot but too severely condemn the department for its utter inefficiency in managing the forests as a fruitful source of revenue. The Forest Department being a quasi-commercial department, its activities should not be merely confined to the preservation of the natural resources of the country and protection of the countryside against flood and drought, but must necessarily be directed towards producing commercial forest commodities and adding sufficient revenue to the Exchequer of the Provincial Government. But, here, as a commercial proposition, the department is a complete failure. Having in its absolute control over 12,000 square miles of valuable forests or nearly one-sixth of the total area of our province, the department is yielding, as is proposed, in the budget estimates, a net profit of roughly 4·6 lakhs of rupees only, *i.e.*, about Rs. 38 only per square mile of our forests—no improvement—in spite of the fact that owing to war conditions, the demand and sale price of our main forest commodities have considerably gone up. The department did not improve a bit under the present ministry. It has been extravagantly managed. The cost of administration of this department is ever on the increase. Within the last five years the expenditure under head "Establishment" has increased by about Rs. 2,00,000. The total establishment cost which was in the year 1935-36 Rs. 8,52,090 by a gradual annual increase rises to Rs. 10,48,000 in our present budget estimates. The administration is top-heavy. The forests, as before, are reserved for white elephants. There are 18 officers still in the Imperial Forest Service, and 12 in the Provincial Service drawing salary, even apart from their fat allowances, almost equal to what 771 persons draw in the permanent subordinate forest

(depot and office) establishment. Almost all the recommendations of the Swan Retrenchment Committee, suggesting a total cut of more than 2 lakhs, have been turned down by the present ministry. The post of the second Conservator of Forests is still maintained. The old position of some of the forest divisions which could have been amalgamated without impairing the efficiency of the work, as was suggested by the Swan Committee, still remains unchanged. The post of the Forest Utilisation Officer is still maintained. This post is held by an Imperial Service man, drawing in all about Rs. 1,600 per month, who has been entrusted with the work mainly of securing orders for supply of forest timber which work can be easily done as efficiently by a subordinate service officer at one-eighth of the cost. The Swan Committee recommended a cut for this post. The posts of the highly paid officers have not only been maintained in full but they have been granted higher grades and multiplicity of allowances year after year.

For their use, nice-looking luxuriously furnished bungalows have been specially provided in large numbers in forest areas. In Buxa Division alone, for only 362 square miles of forests about 11 to 12 such costly bungalows have been specially reserved for the Divisional Forest Officer posted there.

I do not want to dilate any longer, for shortness of time at my disposal, on this point of retrenchment in superior officers' establishment. Much has been said by various members in previous years. But all their cry for economy has been a cry in the wilderness.

Sir, while the present ministry is so kind, so open-handed in maintaining fat-salaried superior service officers, their treatment towards temporary hands in inferior services is quite the opposite.

In the forests establishment there is a very large number of temporary men. Their number, I think, is about 50 per cent. of the total number of employees. All overseers and watchers under this department who are to serve day in and day out year after year are working as temporary hands, some working even for the last 15 years. In divisional offices, there are in all 76 clerks—understaffed—out of which 36 are temporary,—some even working for the last ten years at a fixed salary of Rs. 35 only per month. In Bengal there are in all 239 Foresters out of which 145 are temporary, some of whom are serving the department for more than 10 years. In Dacca-Mymensingh Division there is one who has been in service for the last 18 years, still temporary. These temporary employees are not allowed any increment in salary or leave, special or sick, with pay. This policy is being followed for years on grounds of economy. But, Sir, this is a policy, which, I think, no Government which considers and calls itself a civilised Government ought to adopt.

Then, Sir, when we come to the revenue side, the outlook is not at all hopeful. We find from the budget estimates that the expected revenue from forests is Rs. 22,34,000. Of that, about Rs. 14,94,000 is to be derived from timber. Although our forests extend over twelve thousand square miles, they produce only a microscopic fraction of our requirements for timber. We are compelled to import lakhs of tons of teak and sal wood from Burma and other provinces. Then, Sir, as regards bamboos, what use has the Forest Department been making of them except selling them to local people for erecting huts? We are importing every year paper-pulp from foreign countries worth several lakhs of rupees, when we can prepare a large quantity of paper-pulp from bamboos and grasses which grow in our own forests. The Forest Department can make extra profit especially during this war period when iron poles have become scarce and too expensive, by treating the sal posts chemically before putting them for sale. The department can also manufacture plywood for various purposes and can at least, to a certain extent, restrict the importation of such manufactured woods from foreign countries. The present ministry has done nothing appreciably to improve the forests nor have they made any attempt so far to develop forest industries in order to make our province self-contained.

Then, Sir, as regards forest policy in relation to the agriculturists, our Chief Minister, year before last, assured this House that the present Government accepted the principle that these forests exist for the benefit of the cultivators and not the cultivators for the benefit of the forests. That assurance, like his all other assurances, remained buried in paper and has up to this date never been acted upon. Year before last, speaking on this demand for grant, I narrated a few serious grievances of the cultivators of my constitutency against the department. No attempt till now has been made to remove them. Cultivation of soil and life of human-beings depend on cattle. The number of cattle and buffaloes is gradually decreasing in my constituency for want of grazing fields—grazing is practically prohibited in forest areas though they abound with grass and fodder. Only a few patches are allowed for grazing purposes, but the fees charged are prohibitive. The rates in Jalpaiguri and Buxa Divisions per buffalo and cow are at Re. 1-8 and annas 8 respectively per month, *i.e.*, at Rs. 18 and Rs. 6 per year. Fines are realized for cattle found entering or straying without permit in Forest Ranges at the rate of Rs. 5 and Rs. 3 per buffalo and cow respectively—over and above the usual pound fees. For using forest roads to transport cattle, permit has to be taken at a fee of annas 2 per cattle per trip. For making cattle drink from rivers within forest boundary, *pattas* have to be taken by the *jotedars* on payment of Rs. 3 per year. For irrigation ditches or *jampoi*, as

they are locally called, from rivers running through forest area, excavated by the cultivators at their own expense, a rent of Rs. 10 to Rs. 75 is charged annually by this department,——

(Here the member reached the time-limit and was allowed one minute to finish his speech.)

whereas in *khas mahal* no such rent is demanded. Even on payment of these rents, cultivators have to face a good deal of trouble when repair of these ditches becomes necessary. Not a single piece of firewood, nor a little bundle of thatch is allowed free of cost even to the agriculturists who live continguous to forest areas and suffer so much from depradations of forest animals. In my constituency, which is also the constiuency of the Hon'ble Minister in charge, this department is responsible for forcing a large number of cultivators from giving up cultivation and for increasing immensely the misery of the people.

I have been informed that the Forest Department proposed to take over several square miles of *khas* land round about Buxa Cantonment area which was originally under the Government of India, and then for the last 25 years or more with *Khas Mahal* Department. There are several *bustees* of *paharees* in this area at Adma, Chunabhati, Buxa Tashigaon and Topgaon, and there is also a Finnish Christian Mission at Chunabhati where orphan children are brought up and educated. There are also a few shops at Buxa. These poor people will be soon going to be driven out of their homes. They raised strong objections—verbal as well as written—to the Deputy Commissioner against the proposed make-over of these lands to the Forest Department. Unfortunately no reply is given to the representations of the people, and it is suspected that these representations are not even recorded. These people have been of great service to the Government at one time and it would be an act of grave injustice to them now to drive them out of their homes.

Our Hon'ble Minister in charge is more careful, more concerned for the preservation of rhinoceros than for the protection of the poor peasants (Laughter) who are his own voters in his own district.

Mr. H. BRABANT SMITH: Sir, speaking on behalf of the European Party I oppose the cut motions.

The department is to be congratulated on the excellence of their plantation work. I believe that I am right in saying that this work was started by the former Conservator of Forests, Mr. E. O. Shebbeare, and is in a class by itself, being much in advance of work done in other provinces.

I should also like to congratulate the department on the action taken by them to reduce the depredations by elephants in the Chittagong areas. The issue of gun licences for the protection of crops and the employment of *shikaris* to destroy elephants, where necessary, are commendable concessions.

In this regard, however, I would like to warn the department of the risk of indiscriminate slaughter of game which may occur. If the deer are all shot off by poachers, the only food left for tigers will be villagers' cattle or the villagers themselves. Three years ago 436 persons were killed by tigers in the State of Dhenkanal. We do not want to risk this happening in Bengal.

I would like to suggest to the department the advisability of starting a game club in these areas. There are three such clubs in North Bengal which are doing excellent work. I do not for a moment contend that they have stopped all poaching, but there is no wholesale slaughter of game, and I would seriously recommend the organisation of such a club in Chittagong.

It has been suggested more than once that the department is extravagantly run. I maintain that the department is starved for lack of funds. To take two examples, I should like to mention insufficient creeper cutting and roads.

As you know, Sir, unless creepers are cut frequently, they stunt the growth of trees and eventually kill them. At present insufficient cutting is taking place through lack of funds and forests are deteriorating. This means a loss in the capital value of the forests.

Roads are few and far between and all are unmetalled. As a result of this, work in the forests can only be carried on in the cold weather. Again, if forest produce is some distance from a road, the department has to accept cheaper rates for their produce owing to the extra cost of haulage. This causes a loss in revenue annually. I am glad to hear that the Hon'ble Minister is improving some of his roads but much more should be done.

I should like to suggest, Sir, that the head of the department be given more latitude as regards budget expenditure. He is an expert and should be given more financial responsibility, especially as regards creeper cutting, roads and buildings. If we want increased revenue from the department, the only way to get it is to spend more on the upkeep of our forests.

The report on the forests in West Bengal is a splendid piece of work, and our thanks are due to the Committee for their efforts. Those who have studied it must be impressed by the amount of ground covered and the clearly expressed arguments.

When it is realised that in Roman times the Mediterranean countries were the fertile cornfields of the Empire and are now mostly desert to the south and barren hills to the north, it will not surprise anyone that the conservation of forests is now considered so important.

In our present times we see the effect of deforestation in America where in some States the top soil has been blown away and crops are now almost negligible. In Great Britain forests have been neglected for years and very little replanting done. Now with the war in progress ships have to be sent to Canada for pit props and pulp, as we can no longer get these from the Baltic States. This neglect of woods and forests may make a vital difference to the future of the war. Ships needed for urgent military supplies and foodstuffs are being deflected to carrying wood that we should grow ourselves. In West Bengal with the deterioration of forests we see poorer crops.

I think these few examples should prove to members the necessity of conserving our forests, and I sincerely hope that members will no longer press for additional areas to be released for grazing cattle.

In reply to starred question No. 129, the Hon'ble Minister gave a statement of over 12,000 acres of forests handed over for deforestation in the Chittagong district alone. These were poor areas and of little value from a timber-producing outlook, but the deforestation of such large areas may affect the climate of the province.

Forests are a national asset and should be carefully guarded. I should like to see a survey of all waste lands in the province with a view to their possible use as future forests. With the increasing population of Bengal more forests will be needed to meet the growing demand for firewood and timber. We should press for more forests, especially in the middle of the province, and not for the destruction of existing ones.

If we destroy our forests, we run the risk of turning the province of Bengal into an arid waste as has happened in other parts of the world.

In conclusion, I beg to express the hope that the House will accept the Committee's recommendations when they are brought up for discussion.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Mr. Deputy Speaker, Sir, I wish I could speak in the same voice as the last speaker in congratulating this Department of Forest. I am sorry I cannot congratulate this department on the announcement which has been made by the Minister in charge of Forests so far as Chittagong district is concerned. The House will remember that I gave a vivid picture of the difficulty from which the poor tenants of Chittagong are suffering under the Forest Administration in Chittagong. To speak mildly,

the Forest Administration of Chittagong is a scare greater than the scare of the police in the villages. The people there cannot move in their own places, in their own houses for fear of forest prosecution. But I do not blame the petty Forest officers for this state of things. It is the policy which is to be blamed for keeping forest land by the side of agricultural land. I also raised this point in my speech during the Budget discussion in 1938, when I moved my motion on the policy of Forest Administration in Chittagong, and I was very much pleased when I got an assurance from the Hon'ble the Chief Minister, though not from the Minister in charge of the Forest Department, that the policy henceforward in Bengal,—as has been voiced by one member from the opposite,—will be that the Forest Department should not exist for enriching the Forest Department but should exist for the good and benefit of the agricultural population. But I am sorry to remark, although I am handicapped by the position which I have taken in this House being on the ministerial side, that that assurance has not yet been fulfilled. I do not blame either the Hon'ble the Chief Minister or the Minister in charge, for after all the department is run by experts and the Minister is helpless. From the very nature of the system, if the Minister wants to embark upon a new policy, there is always technical objection from the experts and he being not an expert stultifies himself. That is the difficulty. This is not democracy, but this is an autocracy of the experts. This is applicable to the Forest Department as it is to the Irrigation Department. The Collector of Chittagong district, Mr. Birley, the most eminent I.C.S. that ever came to Bengal, was of the opinion that the Forest Administration in Chittagong was at fault and not the agricultural population. In my speech on a former occasion I also drew attention to this fact and the corruption that is prevailing in the matter, and still the Hon'ble Minister in charge of Forests stated to-day that it was not a practical proposition to release protected forests. I demonstrated to his satisfaction, and I still challenge anybody to contradict, that the so-called protected forests at Chittagong have no forest wealth at all. If anybody contradicts me, I will at once modify my statement, but if the timber found in these forests has no commercial value, what is the justification for keeping this under the Forest Department? If protection is to be given to the people, it can be given by the Collector, because the Forest Department actually exists only for this particular way of administration, while the Collector has to see also to the convenience of tenants as landlords. The Hon'ble Minister has told us that out of the protected forests of 194 square miles, a small portion, only small patches of land, is being released. All these small patches will come up to only one-fourth or one-fifth of a square mile. The Hon'ble Minister has said that it is not a practical proposition to release the protected forests. But why it is not a practical proposition, he

has not given us any reason for that. He has only repeated his answer to my question No. 193 in 1938. When I put the question as to what material he has got to say that it is not a practical proposition, somebody from the Congress side said: "Well, do not put that question. You will not get any answer." I find that is correct, and in spite of repeated enquiries, the Hon'ble Minister has not been able to give any answer as to what technicalities have arisen that have stood in the way of giving effect to this proposition to release the protected forests. This point was stressed by the Hon'ble the Chief Minister. When the people are suffering, they cannot move for redress. Forest land is just abutting on agricultural land, and the people are prosecuted and persecuted unnecessarily. There are two sorts of persecution—one is persecution by petty officers and the other by Forest officers to pay compensation. Of course, I am thankful to the Chief Minister that some steps have since been taken and persecution of this nature has been reduced to a certain extent. I am also thankful to the Present Divisional Forest Officer. He is trying to do all that can be done within the four corners of the law, but they are helpless. So, my submission is that the Minister in charge of Forests should see that the practice of prosecuting agriculturists for trivial technical offences should be discontinued. Now I come to the point raised by my friend, Mr. Mohim Chandra Das, regarding ejectment of *jumias* in forest village of Teknaf in Cox's Bazar subdivision. As far as I know, the Forest Department cannot be blamed for this according to the terms of contract, but they could mitigate the hardship, if the matter was handled tactfully.

Another point which I would like to make out is about the rate of passes in the case of bamboos. The rate is excessive and should be reduced. The matter of the rate of passes in place of old A and B passes was discussed in a Committee with the Conservator of Forests at Chittagong, but nothing has been done yet in that direction.

To these points I would draw the attention of the Hon'ble Minister, and I hope that he will carefully consider them.

Now, Sir, the Hon'ble Minister has given one announcement with regard to deforestation. He has spoken of the appointment of a Committee on the Badarkhali Colonisation Scheme. My submission to the House is that it is not an instance of spontaneous disforestation policy of Government. That should not be confused with the relief by the Forest Department. That is a fight between the Co-operative Minister and the Forest Minister. That was a scheme formulated long before, and was supported by previous Collectors and Commissioners. The scheme should be given effect to. There are other points also. A Committee has been appointed, of which I happen to be a member. I do not like to say anything about the Committee so long as it is going on, but I should like to make it clear to the Hon'ble Minister in charge

that this is no relief to Chittagong in connection with deforestation. I mean that this is altogether different. I do not know whether the Committee will finish its labour within the session or within the next two years. But the landless people of the subdivision forming 80 per cent. will be saved, if the blocks of Rampur and Charandwip are disforested.

With these words, Sir, I take my seat.

Maulana MD. MANIRUZZAMAN ISLAMABADI: মাননীয় সভাপতি মহোদয়, আমি ফরেষ্ট বিভাগের জেনারেল্ পলিসি সম্বন্ধে দুই একটা কথা বলিব। ফরেষ্ট বিভাগের অত্যাচার, অবিচার ও অনাচার সম্বন্ধে গত তিন বৎসর হইতে বহু আলোচনা ও সমালোচনা হইয়া গিয়াছে। কিন্তু মাননীয় মন্ত্রী মহোদয়ের এতৎ প্রতি দৃষ্টি আকর্ষণ হইয়াছে বলিয়া কোন প্রমাণ আমরা এ যাবৎ পাইতেছি না। উক্ত বিভাগের অত্যাচার ও অবিচার কাহিনী বর্ণনা করিবার জন্য বহু সময়ের আবশ্যক এবং এ বিষয়ে বহু আলোচনা হইয়া গিয়াছে বিধায় আমি সে আলোচনা এখানে করিব না।

মন্ত্রী মহোদয় আমাদিগকে আশ্বাস দিয়াছেন যে, এজন্য একটা তদন্ত কমিটি বসান হইয়াছে, এবং তাহার রিপোর্ট প্রকাশিত হইয়াছে বা হইতেছে। সর্বশেষ, আমাদের একটা প্রশ্নের উত্তরে তাঁহার নিকট হইতে ইহাই পাইয়াছি যে, চট্টগ্রাম জেলার কতকগুলি রিজার্ভ ফরেষ্টের জমি খাসমহলের অন্তর্ভুক্ত করা গিয়াছে। অর্থাৎ হাঙ্গরের মুখ হইতে শীকার ছিনাইয়া কুমিরের মুখে দেওয়া হইলে যেমন হয় উক্ত ব্যবস্থায় তাহাই হইয়াছে। এখন ডি-ফরেষ্ট করা জমিতে পার্শ্ববর্তী কৃষক প্রভৃতির কাহার যে কি অধিকার হইবে সে সম্বন্ধে কোন সিদ্ধান্ত হয় নাই। অনুসন্ধানে জানিতে পারিয়াছি যে, আবার একটা কমিটি বসাইয়া দেওয়া হইবে সেই কমিটি পরামর্শ করিয়া উক্ত জমিতে কি সর্তে কাহার কি অধিকার জন্মিবে কি না হইবে ঠিক করিবেন এবং তাহাদের সেই সিদ্ধান্তই গৃহীত হইবে। আমরা কমিশনের বা কমিটির নাম শুনিলেই আতকাইয়া উঠি। মন্ত্রী মহাশয়দের এবং গভর্ণমেণ্টের এই একটা পলিসি বরাবর দেখিয়া আসিতেছি যে, কোনও একটা বিষয়ে ধামা চাপা দিয়া যখনই তাঁহারা অব্যাহতি লাভ করিতে চান তখনই কমিটির দোহাই দিয়া তাঁহারা নিস্তার লাভ করিয়া থাকেন। এইভাবে গত কয়েক বৎসর চলিয়া আসিয়াছে। পূর্বে ৸৹ আনা মূল্যের একটা পাশ যদি কেউ নিতে পারিত তাহা হইলে, বাঁশ কাটা, ছন কাটা, জ্বালানি কাঠ কাটা এবং গোচারণ ইত্যাদি সমস্ত কার্যাই তা দ্বারা সে নির্বাহ করিতে পারিত। কিন্তু বর্ত্তমান সময় ॥৹ আনা পয়সা দিলে ১৫ দিনের জন্য কেবল বাঁশ কাটার পাশ পাওয়া যায়। তা দ্বারা কোন জ্বালানি কাষ্ঠ সংগ্রহের কিম্বা ছন কাটার ও গোচারণের কোন অধিকার থাকে না। বাঁশ, জ্বালানি কাষ্ঠ ইত্যাদির জন্য স্বতন্ত্র পাশের প্রয়োজন হয়। এত পয়সা নিরীহ কৃষক ও শ্রমজীবিরা কোথা হইতে সংগ্রহ করিবে? আর, যদি ফরেষ্টের আশে-পাশে নিজের জমি বা মাঠে কেউ গোচারণ করে ফরেষ্টের লোকেরা আসিয়া ধরিয়া নিয়া খোয়ারে চালাইয়া দেয়। যে বিধবা গাভীর দুগ্ধ বিক্রয় করিয়া কায়-ক্লেশে সংসার যাত্রা নির্বাহ করে, তাহার পক্ষে ৩।৪ টাকা খোয়ারের জরিমানা দেওয়া কিরূপ কষ্টকর তাহা কাহাকেও বুঝাইয়া বলিতে হয় না। এইভাবে যে সকল মাল আমদানি ও রপ্তানি হয় সে সম্বন্ধে ও ফরেষ্টের কর্ম্মচারীগণের বিরুদ্ধে বহু অভিযোগ হইয়াছে কিন্তু তাহার কোন প্রতিকার হইয়াছে বলিয়া আমরা কখনো সংবাদ পাই নাই। বর্ত্তমান সময়ে ফরেষ্টের যে অংশটাকে খাসমহলের অন্তর্ভুক্ত করিয়া দেওয়া হইয়াছে, তার ফল যে কত কালে পাওয়া যাইবে সে বিষয়টা এখন আমাদের নিকট অন্ধকারেই রহিয়াছে। শুনিতেছি তথাকথিত সরকারী লোক নিয়ে ইউনিয়ন বোর্ডের সরকার মনোনীত লোক লইয়া কমিটি হইবে। তাহাতে যে তিমিরে কৃষকেরা আছে সেই তিমিরেই

থাকিবে। ঐরূপ কমিটি দ্বারা কি যে প্রতিকার হইবে তাহা আমরা বুঝিতে অক্ষম। অতএব যে কৃষকের উপর সমস্ত দেশের সুখ শান্তি নির্ভর করে, তাদের বোঝাটা কিরূপ পরিমাণে লাঘব করার প্রতি আমাদের মন্ত্রী মহোদয় যে দৃষ্টি নিক্ষেপ করিতেছেন না এ দুঃখ প্রকাশের ভাষা নাই। আমি আশা করি বন-বিভাগের ভার প্রাপ্ত মন্ত্রী বিশেষতঃ প্রধান মন্ত্রী মহোদয় এই ফরেষ্ট বিভাগের অত্যাচার, অনাচার ও অবিচারগুলি দূরীভূত করিবার জন্য বিশেষ ভাবে মনোযোগ দিবেন।

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I have got a duty which is not a very pleasant one for this House, and except one or two speakers nobody congratulated me. My friend Mr. Mahim Chandra Das attacked the Forest Department for ousting the forest villagers and in his opinion it was not justified at all, but, my friend forgets that these forest villagers were contracted labourers who used to give some help and labour to the Forest Department. He mentioned about *jumia* cultivators. As far as I remember, these *jumia* cultivators were given some land outside the forest area. My friend Mr. Khagendra Nath Das Gupta attacked this department, saying that although it is called a quasi-commercial department, so far it has done nothing at all. Sir, we have got about 12,000 acres of very valuable forest, but has he ever tried to find out what is valuable forest produce and timber and has he ever thought of the regeneration and replantation of 161 square miles which we have effected? We are adding some more valuable timber forests to our existing forest. He also complained that we were increasing out expenditure daily, but, in fact, we have not been spending much. Does he mean to say that we should reduce our yield and sell the timber as fuel, which is not at all a practicable proposal? We can get a revenue of Rs. 50 lakhs a year if we reduce the rate, but that is not our policy; we have got to preserve the forest, and to see that the people are benefited and also can get a market for the forest produce, and keep the land fertile. He also said that Forest officers are living in luxurious bungalows in the Buxa Division, and that they are useless. In this connection he must realise the sort of climate that we have in the Buxa Division and also in some parts of Jalpaiguri. We must provide reasonable comforts for them, and unless we give them facilities they will not be of any use to us. As regards the temporary hands, Government is going to effect a thorough reorganisation of the department, and it will be ready as soon as possible. I am grateful to Mr. Brabant-Smith who is familiar with forest administration in North Bengal and who has been there for a long time for his valuable suggestion. He mentioned about creeper cutting; as soon as we improve our revenue, we will provide some money for greater improvement. My friend Khan Bahadur Jalaluddin Ahmad has also attacked this department, saying that this department is at fault, and he wanted to know why this protected forest should not be handed over to the *khas mahal*. As regards these *khas mahal* forests, in 1916-17, it was found that the forest was being ruined and

on the recommendation of the Commissioner, Chittagong Division, we took it over. Khan Bahadur Jalaluddin Ahmad says that there is hardly any valuable timber or bamboo left. It is quite so, because they were exploited ruthlessly. The Forest Department has been trying to preserve these forests. My friend Maulana Maniruzzaman and other members of the Chittagong district made the same complaint and, therefore, I need not repeat what I have said.

I am glad to mention that a Committee has been formed to inquire and report on the possibilities of deforestation of Charandwip and Bhadrakhali blocks of the reserve forests, and another Committee is going to be formed to look into the question of grazing.

Rai HARENDRA NATH CHAUDHURI: How many more?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I may assure also that other grievances will also be enquired into, and possible remedies found.

The motion of Mr. Mahim Chandra Das that the demand of Rs. 13,06,000 under the head "10—Forest" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Khagendra Nath Das Gupta that the demand of Rs. 13,06,000 under the head "10—Forests" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Prasanna Deb Raikut that a sum of Rs. 13,06,000 be granted for expenditure under the head "10—Forests" was then put and agreed to.

(The House was then adjourned for twenty minutes.)

[*After adjournment.*]

8—Provincial Excise.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 21,53,000 be granted for expenditure under the head "8—Provincial Excise."

Sir, the final goal of the Excise policy of the Government is to enforce total prohibition in the province. As a first step towards this end, an experiment in prohibition of alcoholic beverages was introduced in the district of Noakhali, with effect from the beginning of the year 1938-39, and Government are studying the result of the experiment. I am glad to inform the House that as far as reported the experiment has proved quite successful. But prohibition involves grave financial

implication, direct loss of existing revenue and heavy expenditure for staff to prevent illicit traffic. Excise yields a revenue of more than Rs. 1½ crores, out of which only Rs. 21½ lakhs are required for expenditure of the department during the coming year. At the present time when there is financial stringency and it is necessary to husband the resources of the country because of the war, Government can ill-afford to dispense with this substantial portion of their revenue all at once unless new sources of revenue can be found to counter-effect the loss and fresh taxation, if heavy at this present time, is not likely to be welcomed with avidity. Many of the constructive and beneficial schemes of Government will have to be abandoned if prohibition is to be launched on an abmitious scale. I think the honourable members will agree with me that it would be a mistake if we went to that limit since there is a demand from all quarters for the improvement of the nation-building departments.

I may further explain that the problem of intoxication is not acute in Bengal. The standard of sobriety in this province is higher than the standard in many other provinces. The per capita excise revenue in Bengal is only annas 4-11 against Re. 1-9-6 in Bombay and annas 12 in Madras.

For the present, as a general measure, orders have been issued prohibiting the opening of any new shops without the previous sanction of Government. Propaganda is also being undertaken. With the help of a Film Corporation of Calcutta Government are preparing a film on the subject of "Drink Evil" for propaganda purpose. Government are contributing Rs. 3,500 to the Film Company.

As pronounced by the Hon'ble the Chief Minister on the 1st December, 1939, in connection with the debates on my honourable friend Rai Harendra Nath Chaudhuri's Prohibition Bill, 1939, the scheme of extension of prohibition in the district of Tippera is under preparation. The House will get an opportunity to consider the implications of prohibition when the above Bill which has been circulated for eliciting public opinion comes up for consideration.

There are two other points to which I may give passing mention. In order to give public opinion an effective voice in the matter of excise administration, selection of new sites has been placed under the control of licensing boards which have been vested with statutory powers. These boards are constituted with officials and non-officials who have intimate knowledge of local conditions and who are aware whether there is a genuine demand for an excise shop in any particular locality. Prior to April last there was no such board in Darjeeling where advisory bodies without statutory powers existed. But with effect from the 1st April, 1939, a licensing board has been constituted for this district as well.

In the matter of selection of licensees, it has been the declared policy of Government to give preference to educated unemployed Bengalees, and to hillmen in the district of Darjeeling.

From the facts laid before the House, I trust the honourable members will be convinced that although it has not been possible to enforce prohibition with as much expedition as we all desire, the activities of the department have been mainly directed towards the attainment of prohibition gradually.

Mr. SATYAPRIYA BANERJEE: Sir, I rise to move the cut motion that stands in my name, namely, that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100.

Sir, the Hon'ble Mr. Fazlul Huq, the Chief Minister, in his own usual and, I may add, inimitable style proclaimed from his seat in this House in the year 1937 that prohibition was the ultimate goal of this department and he, as a Muslim, believed it to be his duty to try and have prohibition during his tenure of office. In pursuance of the realisation of this ultimate goal, Government has adopted the policy of minimum consumption with maximum of revenue. This policy, Sir, is not new. In the year 1887—the year of the foundation of the Indian Temperance Association, the British House of Commons passed a resolution which drew the attention of the Government of India in the following terms: "Increased facilities for drinking produce a steadily increasing consumption and spread misery and ruin among the industrial classes of India, calling for immediate attention of the Government of India with a view to their abatement," to which the Government of India replied by saying that they are checking drinking by limiting the number of places at which liquor may be purchased, restricting sale within certain hours and raising the cost of liquor by imposing a duty on it.

Sir, more than 50 years have passed since the above policy had been adopted, but the result has, to say the least, not been encouraging. In the latest report available—it is for the year 1937-38—we find that there has been a considerable increase in the total consumption of country spirit. Thus reads the report: "The total consumption of country spirit in the province amounted to 539,253 L.P. gallons as compared with 364,589 L.P. gallons in the preceding year, showing an increase of 174,664 L.P. gallons, or 47·9 per cent. Consumption generally increased in all the districts except in the district of Chittagong. The slight decrease in the district of Chittagong amounted to 272·3 gallons only and was due to the introduction of 75° U.P. liquor at enhanced rates."

This is after all a very deplorable state of things and shows, if anything, the half-heartedness of the present Government in the matter. We on this side of the House propose immediate and total prohibition, because we believe that the only effective check to increasing consumption of liquor and other drugs is prohibition which will in its turn bring about an all-round improvement in the moral and material welfare of the people of the province. We know, Sir, the common arguments that are put forward against immediate and total prohibition. We know, it will be said that it will give rise to illicit manufacture and will be attended with evils even greater than those which it was intended to prevent; secondly, that the financial position of the province will deteriorate and as a consequence, nation-building activities of the Government will have to be curtailed; thirdly, that it will be regarded by many as an intolerable interference with the liberty of the people; and fourthly, that it has been tried in America and there it has proved a failure.

Let me answer these arguments one by one. Regarding the first, my answer is that it is no argument to throw out the proposal of prohibition, because there will be some or a considerable number of people who may commit offences against prohibition. Moreover, educating the public to keep a vigilant eye on illicit manufacture will go a great way to check it.

Regarding the second, I admit that there will be, for the time being, some loss of revenue to the detriment of the nation-building activities of the Government, but we should at the same time never forget that prohibition also is a part and not an insignificant part of nation-building and that the major portion of the excise revenue, that is, out of Rs. 1,60,50,000 more than a crore and a quarter comes from the pocket of the common man. Here, Sir, as in no other sphere of public finance, the voice of conscience rings loud and clear and asks—Is it fair, is it equitable, is it just to tempt the common man to drink and then utilise this ill-gotten revenue for the building up of the nation? Moreover, in the long run, there is every possibility of increased revenue from general prosperity which will follow as a necessary consequence of prohibition. In this connection, may I ask the Government that if it was possible for the Governments of Madras, Bombay, Behar and other provinces with a much larger excise revenue to introduce prohibition, what stands in the way of the Government of Bengal to introduce it here and now.

With regard to the third argument, I have only to remind the Government that if they have afforded to be generously liberal in the application of the Defence of India Rules in interfering with the civil liberties of the people, their most precious fundamental rights, they

can at least afford to be just in interfering with the liberty of the people to do evil—they can, in the words of Rousseau, force them to be free from the evils of drink.

Lastly, it is said that prohibition has failed in America and it will also fail elsewhere. But, Sir, if I have read the history of prohibition in the United States of America aright, I can say without the least hesitation that the restoration of alcohol and other intoxicants has been brought about by those whose pockets were touched. It is on record, Sir, what prohibition achieved there and the speeches which were heard even in this city from Mr. Pussyfoot Johnson went to show that after prohibition in the United States several jails were closed, new banks opened and people thrived.

Moreover, Sir, when I think that drink is the parent of many a sin, when I contemplate that it has brought untold misery to millions of people of this province, when I recall to mind that it has rendered unhappy and desolate many a home where once sweetness and harmony reigned supreme, when I reflect that it has taken away the only touch of refinement, the only ray of light and the only glow of hope from the lives of those that solely need them all, I feel that Government has been the worst offender in allowing this evil to continue, and the members of the Coalition Party abettors in not bringing the Government to its senses and making them agree to introduce prohibition. Sir, it is never too late to mend; rather late than never. May I appeal through you, Sir, to the members of the Coalition Party in all humility and with all the earnestness and emphasis that I can command, may I appeal to them in the name of all that is best and noblest in humanity to rise at least once equal to the occasion and persuade the Government to take courage in both hands, and introduce immediate prohibition as Madras, Bombay, Behar and other provinces have done and earn the blessings and gratitude of ourselves and of generations yet unborn?

We, of the Opposition, have at least the satisfaction of doing our duty not in the sense of the father of Mr. Winston Churchill, who once said that it was the business of the Opposition to oppose everything and propose nothing but by drawing the attention of the Government to this evil and by introducing the Bengal Prohibition Bill, 1939. Let the Government accept the Bill, and if the Government does not want the Opposition to steal a march over them and take the credit, let it introduce a Prohibition Bill here and now and support will be accorded to it from the Opposition, again in the language of the father of Mr. Churchill, not with a kick but with a caress.

Mr. ISWAR CHANDRA MAL: Sir, I beg to move that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100.

মাননীয় সভাপতি মহাশয়—বাংলা গভর্ণমেণ্ট কেন, ভারতবর্ষের যে কোন গভর্ণমেণ্টই এ দেশের লোককে গাঁজা, ভাঙ্গ, আফিং, মদ, চরস, গুলি ইত্যাদি খেতে পরোক্ষভাবে বোলে দিচ্ছে। এই সমস্ত জিনিষ বিক্রি করবার অধিকার গভর্ণমেণ্ট নিজের হাতে রেখেছে। গভর্ণমেণ্টের অনুমোদন ব্যতীত এই সব জিনিষ তৈরী করবার বা বিক্রী করবার অধিকার কারো নেই। এটার উদ্দেশ্য হোচ্ছে যে গভর্ণমেণ্টের কিছু আয় বাড়ানো। কিন্তু সেই আয় বাড়াতে গিয়ে দেশের লোককে এমন জিনিষ খেতে দেওয়া হোচ্ছে যা কোন সভ্য ব্যক্তি অনুমোদন করে না। কিন্তু মদ, ভাঙ্গ, গাঁজা খেয়ে লোকে যে টাকাটা ব্যয় করে, গভর্ণমেণ্টের দেখা উচিৎ যে সেই টাকাটা তাদের পরিবারের শিক্ষা ও স্বাস্থ্যের উন্নতি প্রভৃতি ব্যাপারে ব্যয়িত হয়। কিন্তু তা না কোরে গভর্ণমেণ্ট গাঁজা প্রভৃতি উৎপাদনের জন্য খানিকটা জায়গা বিশেষভাবে রক্ষা করেন, এবং সেই গাঁজা দোকানে পাঠিয়ে বিক্রী করান, যাতে লোকে গাঁজা প্রভৃতি খেয়ে মজগুলে হোয়ে থাকে।

বর্ত্তমান গভর্ণমেণ্ট প্রতিষ্ঠিত হবার পূর্ব্বে মন্ত্রীমণ্ডলীর সভ্যগণ বোলেছিলেন যে দেশের লোক যাতে মোটা ভাত মোটা কাপড় পায় তার ব্যবস্থা তাঁরা কোরবেন। কিন্তু আসলে তা হয় নাই। আমি মফঃস্বল অঞ্চল থেকে আসছি। সহরে, বাজারে কত গাঁজা, মদ বিক্রী হয় তা জানবার আমার উপায় নেই। কিন্তু সুদূর মফঃস্বলে, গ্রামাঞ্চলে যে পরিমাণ মদ, গাঁজা বিক্রী হয় তা শুনলে অসম্ভব বোলে মনে হবে। কোন কোন যায়গায় সাধারণ লোকের দ্বারা দরখাস্ত দিয়ে গাঁজা মদের দোকান খোলবার ব্যবস্থা পর্য্যন্ত করা হয়।

তারপর ইদানীং উড়িষ্যা প্রদেশের কোন কোন অংশে মাদক দ্রব্যের ব্যবহার নিষিদ্ধ হওয়ায়, সেই সব অঞ্চলে বাংলাদেশের সীমান্তস্থিত স্থান হোতে চোরাই ভাবে এই সব জিনিষ ব্যবহার ও বিক্রী করবার যথেষ্ট সুবিধা হয়। সেই সময় আশা কোরেছিলাম উড়িষ্যা গভর্ণমেণ্ট যে সব স্থানে মদ, গাঁজা প্রভৃতি মাদক দ্রব্য বিক্রী বন্ধ কোরেছেন সেই স্থানের লাগাও বাঙ্গলাদেশের দশ পনেরো মাইল ব্যাপী স্থানে মদ, গাঁজা, আফিম, প্রভৃতি মাদক দ্রব্যের দোকান না রাখবার ব্যবস্থা হবে। আমার সেরূপ আশা করা সম্পূর্ণ ভুল হোয়েছে। মেদিনীপুর জেলার কাঁথী মহকুমার একটা অংশ উড়িষ্যার লাগাও। উড়িষ্যার সেই অঞ্চলে মাদক দ্রব্যের দোকান উঠিয়ে দেওয়া হোয়েছে, কিন্তু বাংলাদেশের সেই অংশে অনেকগুলি গাঁজা, মদ, ও আফিংএর দোকান রোয়েছে। বাংলা গভর্ণমেণ্টের সেই সব অঞ্চলে উড়িষ্যার সিমান্ত হোতে দশ মাইলের ভেতর যে সমস্ত মাদক দ্রব্যের দোকান আছে সেগুলি উঠিয়ে দেওয়া উচিত।

আমি এই প্রসঙ্গে আর একটা কথা বোলতে চাই। Excise Department এর administration এর মধ্যে অনেক দোষ দেখা যায়। উদাহরণ স্বরূপ বলা যায় হাওড়ার কোন যায়গায় একজন Superintendent ১৯০২ হইতে ১৯০৫ পর্য্যন্ত কার্য্যে নিযুক্ত ছিলেন। তার ফলে তাঁর অনেক আত্মীয়-স্বজন মাদক দ্রব্যাদীর দোকানের ব্যাপারে অনেক সুযোগ সুবিধা পেয়েছিলেন। অনেক আপত্তি সত্ত্বেও সে ভদ্রলোককে আবার সেখানে retransfer করা হোয়েছে। এই সমস্ত বিষয়ে গভর্ণমেণ্টের তদন্ত দরকার। এরূপ ক্ষেত্রে পরিদর্শনের সময় দোকানদারদের দোষ-ত্রুটি অনেক সময় ধরা পড়ে না। আমার মতে যদি লোককে মদ খাওয়াইতেই হয় তাহোলে ভাল মদ খাওয়ান উচিৎ।

আমি গভর্ণমেণ্টকে বোলতে চাই এই সব ব্যাপারে এমন অনেক জিনিষ আছে যাতে পুলিশ হস্তক্ষেপ করায় পুলিশের ভাগ্যে transfer পর্য্যন্ত হোয়ে গেছে। অতএব আমি গভর্ণমেণ্টের কাছে অনুরোধ কর্চ্ছি যাতে এই সমস্ত ব্যাপারের প্রতিকার হয় তার চেষ্টা করুন।

Mr. MD. ABUL FAZL: Sir, I beg to move that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100.

Sir, my intention in moving this cut motion is to draw the attention of the House that in spite of Government declaration that they would gradually introduce prohibition they have done little, if anything, as yet. Government's failure to introduce prohibition has been defended by the fact that drink evil is not so ruinous or so pressing here as in other provinces and that the yield for excise revenue *per capita* in Bengal is lower than in other provinces. But in 1937 the Hon'ble the Chief Minister was pleased to declare on the floor of this House not only that total prohibition was the ultimate goal of the excise policy of this province, but that as a beginning experiments in prohibition would be undertaken in one or two selected areas. In 1938 the Hon'ble the Chief Minister said that he had selected Noakhali not only for low consumption of liquor but also for other strategic reasons. Next Chittagong and then Comilla and then the entire Chittagong Division would be tackled. He also said that in October, 1937, he had been in communication with the district authorities and had been trying to encourage voluntary workers in the work of carrying out the policy of prohibition and popularising prohibition in the districts.

It is regrettable that in spite of these assurances, no serious step has been taken to tackle this problem. On the other hand, the Licensing Board of Noakhali and some public bodies of Chittagong, Comilla and Dacca have expressed their opinion against prohibition on the Prohibition Bill of Rai Harendra Nath Chaudhuri.

Sir, this then has been the result of Government's attempt at popularising prohibition, not to speak of voluntary workers, none of whom has been met in any part of the province carrying on prohibition work. I am constrained to say that Government have been deliberately attempting to mislead the House and the country outside with regard to their prohibition policy.

Three rules are generally considered in discouraging use of country liquors: (1) restriction on sales; (2) reduction in the number of shops; and (3) high prices of liquor. It will be found from the Budget figures that in 1936-37 the income from this source has been Rs. 42,81,000; in 1937-38, Rs. 52,42,000; in 1938-39, Rs. 55,42,000; in 1939-40, Rs. 56,75,000; and we expect Rs. 56,00,000 in 1940-41, so that there has been increase in each successive year. What then has been the value of this restriction? Instead of decreasing the sale they have increased it. I should like to know what stringent measures have been introduced by the Hon'ble the Chief Minister since his assumption of office.

Then, as for the number of shops in Calcutta and in jute mills and industrial areas, these shops have been steadily on the increase. In the whole of Bengal, out of about 900 shops one or two shops have so

far been reduced; but from the very fact that the income from Excise is on the increase, it is evident that shops could not have been reduced.

As for high prices of liquor, from excise reports of last three years it will be seen that there has been no increase in the price but a reduction ranging from 12½ per cent. to 25 per cent.

One of the conditions of success in any undertaking of this type is the possession of self-confidence, which the ministry lacks. And they also lack in the ability to foresee the difficulties to be faced and the capacity to call into existence organisations adapted to cope with these difficulties. Sir, among all provinces of India, Madras, Orissa and Bihar have gradually succeeded in prohibition. The most successful achievement has been in the district of Salem in the Madras Presidency. Of all provinces, perhaps Madras enjoyed the unenviable reputation of deriving the highest percentage of its revenues from excise. This amounted to 27·1 per cent. of the total provincial revenues in 1934-35. Then, Sir, among all her districts, the district of Salem was notorious for its drunkenness. When the Congress came into power, the Hon'ble Mr. Rajagopalachariar selected Salem for his noteworthy experiments. This district was most addicted to drinking. His contention was that if he could demonstrate to the world that if prohibition was possible in a place like Salem where every village, hamlet and hut had its cluster of palm trees which might be tapped easily for toddy without much fear of detection, then it would be easier still to introduce prohibition in other places where the conditions of success were more favourable. The district of Salem has an area of 7,100 square miles, and it contains more than 1,800 villages and thousands of hamlets, that the population numbers more than 2½ million souls of whom 7½ lakhs of people were in the habit of using excise articles, mainly in the form of toddy. Enquiries made at that time revealed that the expenditure on drink before the introduction of prohibition ranged from 24 to 32 per cent. of the total earnings of the addicts. Some of the people spent as much as 50 to 70 per cent. of their earnings on drink as against 15 per cent. in Britain. These figures alone are sufficient to show what a boon prohibition has been to the people of this district as also how difficult is its introduction in an area where palm trees are to be found in their lakhs. It has further to be stated that the excise revenue derived from this district only was a little over Rs. 13 lakhs per year all of which had to be sacrificed with the introduction of prohibition. If the ministry has any real intention of introducing prohibition, they should emulate this example of Salem and introduce prohibition in the area where people are greatly addicted and not in the place where people are the least addicted.

With these observations, Sir, I commend my cut motion to the acceptance of the House.

Sir HENRY BIRKMYRE: Mr. Speaker, Sir, I wish to say a few words on behalf of my party on the motions before the House. I hope I shall not be misunderstood if I express satisfaction that Excise is one source of revenue which is showing an increase and not a decrease. In 1925-26 Excise revenue amounted to Rs. 228 lakhs; in 1928-29 it had shrunk to Rs. 224 lakhs; while in 1933-34 there was a serious drop to Rs. 134 lakhs. Since then the revenue has been increasing gradually.

It may be argued that this drop was due to the depression, and contraction in the spending power of the population, but the figures of Excise convictions for illicit distillation and smuggling show that this was not the case. The convictions in the year 1926-27 amounted to 1,400, in 1929-30 to 5,757, in 1930-31 to 10,016, while in 1933-34 they had reached an astonishing figure of 20,828. I think, Sir, that these figures will prove conclusively that the depression had not brought about any shrinkage in the consumption of liquor, but that illicit distillation and the smuggling of cheap liquor had drawn the consumer from the Government supply to cheap "fire water." The Government found themselves faced with two very serious problems—a fall in revenue and the ill-effects of cheap bad liquor. Were these not checked, very serious social effects would occur from the consumption of bad liquor, while the nation-building departments would be starved for the lack of funds. To counteract this, Government adopted two methods—the introduction of 75 under-proof liquor and the opening of new licensing shops in districts and areas where illicit distillation had been proved. These measures had their effects in that they checked smuggling and helped to increase revenue. I must say, however, that illicit distillation was only being checked, and the question was whether the department had to be provided with an adequate staff at its disposal to control and check this pernicious practice altogether.

The neighbouring province of Madras has a very large staff of excise —575 sub-inspectors, 221 petty officers and 2,419 peons. Bombay has 108 sub-inspectors, 396 petty officers and 1,846 peons. But Bengal with a larger area than Bombay and an infinitely larger population than both these provinces has only 276 sub-inspectors, 117 petty officers and 965 peons. The other two provinces realise the value of their excise revenue and this is shown in the collections which in Madras in 1938-39 amounted to Rs. 374 lakhs; and in Bombay to Rs. 287 lakhs, while in Bengal we only collected Rs. 159 lakhs. It might perhaps be more easily comprehended if one were to turn this revenue into terms of rupees, annas and pies per head of population. In that case it would come to this: that Bombay collected Re. 1-7-2; Madras annas 13-7, while Bengal with its large population and many needs collected only annas 5-2.

Now, Sir, another argument may be brought forward and that is that in Bengal the consumption of liquor is very high and that Government are making a large revenue out of it. This, I maintain Sir, is entirely untrue. The consumption of liquor in Bengal is smaller than in the other two provinces I have referred to, and if I may be forgiven for quoting more figures, I would like to point out that in Madras there is one liquor shop for every 28·8 square miles; in Bombay there is one liquor shop for every 59¾ square miles; but in Bengal we have only one liquor shop for every 98·7 square miles. It will be easily seen therefore that Bengal is not the drink-sodden province some would like to have it.

Now, Sir, if I may be permitted to put forward the opinion of the European party, it is that they do not consider that prohibition as such is the cure. The United States of America tried the experiment for a period of 15 years with the result that crime increased out of all knowledge. The figures, apart from boot-legging, comprising crimes of sexual mania, madness and crimes of many other characters, make a most appalling record. Madras for the last two years now has been trying the experiment of prohibition. In 1938-39 it lost Rs. 30 lakhs; last year this loss had increased to Rs. 65 lakhs. In addition to this they were faced with the necessity of considerable increased expenditure on their preventive staff for enforcing prohibition. Nor can it be said that they have succeeded, as the evasion of licensing laws and the imports of smuggled liquor from neighbouring States have reached alarmingly high figures. Even if prohibition were feasible, I ask the House whether Bengal dare risk attempting it. We have had a series of deficit budgets. Our taxation is already at a very high limit, and it has been stated that the saturation point of taxation is very nearly reached. We have before us many schemes of education, agricultural improvements, rural reconstruction and public health—all of them crying necessitities. Can we, therefore, at this stage risk a shrinkage of revenue which will inevitably result if we introduce complete prohibition? In the United Kingdom many years ago drunkenness was almost universal, but with the spread of education, particularly universal education, the consumption of liquor has come down steadily. The figures to-day compare extremely well with those of even twenty or twenty-five years ago. I submit that the correct way to tackle the question is not prohibition but education—education of the masses and education of public opinion. Government have stated their policy which is maximum revenue with minimum of consumption. They have also, as an experiment, introduced prohibition in one district of the province. (A voice: Where?) Noakhali. I submit that we should give them an opportunity of developing this policy and so long as consumption of liquor is kept within decent bounds—and there is every evidence that this is being done—we should support any means of

keeping our finances within the bounds of solvency and of utilising the revenue obtained from liquor to kill liquor by educating the masses and public opinion.

Mr. KSHETRA NATH SINGHA: Sir, I beg to move that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100.

Sir, I touch a point with which we are very much concerned. Government in former days declared openly that their policy is to give licences to the Bengalis generally and not to give them to any outsiders. But, Sir, unfortunately after three years of working of the provincial autonomy, what do we find? After giving such a clear promise that licences would not be issued to outsiders, what are they doing now? In North Bengal wherefrom the Hon'ble Minister in charge of Excise comes, let us see what he has done. In his own district not a single licence for an Excise shop is given to the Jalpaiguri people. In Rangpur not a single licence is given to any of the inhabitants of Rangpur and in Dinajpur the matter stands in a worse condition. The Hon'ble Minister may remember that only one licence for a *ganja* shop—not excise, properly speaking—for which a man belonging to the Scheduled Caste was thought fit was given. And to make the matter worse still after a year's working, the licence was not renewed to him. In spite of my telling the Hon'ble Minister and in spite of my asking the Commissioner of Excise, nothing was done. Now, Sir, let me speak of my own district, namely, Rangpur. In several cases I tried, and tried my level best to see that licences for these shops were given only to the *bonâ fide* inhabitants of the district, not to speak of anybody else. I do not claim too much for my own community. But to speak the truth, one excise shop in Mahimganj was given to Ramsevakram and all the appeals and requests that were made to the Hon'ble Minister bore no fruit. Recently in Saidpur a shop was given to somebody else. I am not going to tell how it was given. In Rangpur, I know that all the licences for excise shops are issued to non-Bengalis. One Ramsevakram, who is a hot favourite, stands first in the district. Another Shamlal Saha, who is the second favourite, stands second, and one Ramlal Saha, though not in the list, stands third.

Mr. SPEAKER: You are getting confused between Ramlal and Shamlal!

Mr. KSHETRA NATH SINGHA: This is our misfortune, because we are always governed by Ramlals and Shamlals. That is our misfortune. In spite of all this, what is the Hon'ble Minister doing for his own district? He is doing nothing for his district, and for the

people of the province. He has been holding the post of Minister for three long years and yet he is doing nothing. We have been silent so long. I might be under some obligation to him and he might be under an obligation to me. I did not speak of these things before the public, but it is a mournful tale of ours that we are getting no preference from Government in this department also. We are always neglected everywhere and specially I claim this because the Minister belongs to the Scheduled Castes. If he claims to belong to the Scheduled Castes, then he has done nothing for the Scheduled Castes. In support of my statement, I would like to cite one instance. Mr. Speaker, Sir, you will see how it is done. I shall, with your permission, read the following questions and answers:—

"MR. ABDUL LATIF BISWAS: Will the Hon'ble Minister in charge of the Excise and Forest Department be pleased to state whether it is a fact that a large number of excise licences are issued to non-Bengalis?

The Hon'ble MR. PRASANNA DEB RAIKIT: Yes, so far as toddy licences are concerned, but not so in the case of other licences.

MR. PRAMATHA RANJAN THAKUR: Is it not a fact that members of the Scheduled Castes do not get preference in the matter of excise?

The Hon'ble MR. PRASANNA DEB RAIKUT: I am not aware of that."

This is from a Scheduled Caste Minister who stands up and advocates the cause of Scheduled Castes! He does not know what is the position of the Scheduled Castes and why they are not getting licences. He does not know anything. I ask him to bid goodbye to his present position if he cannot do anything for his community and if he cannot do anything for his province. What is the use of being a Minister then? He is not doing any good either to his community or to his province, though he is getting Rs. 2,500 a month Mr. Speaker, Sir, it is a most lamentable tale of ours that everywhere we are neglected and neglected. Government have publicly declared that licences will only be given to Bengalis as far as possible, but there is a clear absence of *bonâ fides* in the mind of Government. This is a very sad state of affairs. As there is still time, I ask the Hon'ble Minister to retrace and do some justice to the people of the province and specially the Scheduled Castes people. A large amount of money comes from the Scheduled Castes under this head. You are ruining your own people at the cost of their health and property. But you are doing nothing for their benefit. The majority of the income from these licences comes from the Scheduled Castes people—Khols, Doms, Mehtars, etc. But what are you doing for them? You are doing no good to them. You are giving no preference to them

anywhere. You are only asking them to get themselves drowned. You are always comparing with other provinces, but you are not doing anything. You say that Bengal is very fortunate, Bengalis live in heaven, there is no licence difficulty, the people are rolling in luxuries and are accustomed to heavenly habits. But this is not the real state of things. We live in the mufassal and know the condition of the people, how they are being ruined by constant drinking, and thereby spoiling their health and wasting their money. You must remember that when people are taxed, they ought to get a portion of it back as remuneration. This sheer neglect is really a criminal one, and I request the Hon'ble Minister to look into the matter himself. I have informed him several times about the difficulties of the people, but he never cares to look into them. He merely carries on his duties by signing whatever is placed before him.

Mr. ABDULLA-AL MAHMOOD: Sir, the policy of excise has been thoroughly discussed by various members on the floor of this House. I therefore do not like to take any further time of the House by inflicting a speech on the general policy of the Government on Excise. But I will be failing in my duty if I do not bring certain facts before the members of this House.

Sir, I bring a definite charge against the present Excise Commissioner of Bengal who is luckily present in the gallery.

Mr. SPEAKER: I am sorry you cannot refer to any gentleman in the gallery.

Mr. ABDULLA-AL MAHMOOD: Sir, I bring this definite charge against the Commissioner of Excise, Government of Bengal, who is luckily present here to-day.

Mr. SPEAKER: I am sorry you are again referring to him. You cannot say anything to anybody sitting outside this House.

Mr. ABDULLA-AL MAHMOOD: Sir, I would like that the Commissioner of Excise should hear my allegation and I say that he is an enemy to the Muslims and Scheduled Castes.

Mr. SPEAKER: I am sorry that you do not realise that if you want to say anything against the Excise Department you have to address the House, but you cannot say whether it will be heard or read by the Excise Commissioner. So please do not refer to that.

Mr. ABDULLA-AL MAHMOOD: Sir, through you I am submitting to the House that I bring this definite charge against the Commissioner

of Excise, and I must say that the Hon'ble Minister in charge of the Department is negligent in his duties in not taking proper care of the department. He is being guided by the dictates of the Commissioner of Excise who is a self-willed and impatient man who is running the Excise Department. Now, Sir, my definite charge is this: that recently four posts of Superintendents of Excise fell vacant. The members of this House are well aware that there was a Government circular to fill up the vacancy to the effect. There was a reference to that circular in to-day's unstarred question No. 122 put by Mr. Azhar Ali. As it was an unstarred question, I think, I should read out both the question and the answer on the floor of this House——

Mr. SPEAKER: I hope you remember your time-limit.

Mr. ABDULLA-AL MAHMOOD: Sir, this is a very important matter. The members of the Coalition Party—both the Muslim and the Scheduled Castes members—highly resent the action of the department in this matter, and they bring this charge against the Minister in charge of the Department that he does not himself look after the affairs of the department which he should do as a responsible man who has been placed at the helm of the affair.

Sir, I only bring through you to the notice of the members of this House the subject-matter of the question referred to above. It runs thus:—

"Is the Hon'ble Minister in charge of the Forest and Excise Department aware—

(i) that there was a Government circular to the effect that two Superintendents and three Inspectors of Excise would be recruited from among the candidates sitting for Bengal Civil Service Examination; and

(ii) that the circular referred to above was subsequently cancelled?"

The answer is to the following effect:—

"(i) An advertisement to this effect was published by the Public Service Commission.

(ii) Yes."

I ask the Hon'ble Minister to say whether it was he himself who cancelled this order or was it the Commissioner of Excise who really cancelled this order. (Cries of "Hear! hear!" from Coalition Benches.) Now what has been done. Four posts fell vacant and two of them were, first of all, given to non-Muslims, that is, I must frankly say, to

Hindus. Subsequently, advertisement was made in the paper that direct recruitment would be made to the two other posts. That advertisement was afterwards cancelled and one man who had been appointed as Public Prosecutor, to conduct cases of the Excise Department has been given one of the appointments. As far as I know, these appointments have been made in supersession to the claims of many Muslim officers who have got brilliant records at their credit.

Sir, I would remind the Commissioner of Excise and also the Hon'ble Minister in charge of the Department that members of the Coalition Party strongly resent this sort of action. (Cries of "Shame! shame!" from Coalition Benches.) I also bring it to the notice of the Hon'ble Minister that such carelessness will not be tolerated in future by any member of the Coalition Party.

Mr. BANKU BEHARI MANDAL: Mr. Speaker, Sir, most of the members are speaking for total prohibition but, Sir, we come to know from the budget estimate that the total excise revenue of the province is about Rs. 150 lakhs per year on an average, whereas the average land revenue is Rs. 350 lakhs per year. So the excise revenue is more than one-third of the land revenue. If the total prohibition is introduced, Government will have to make provision for this amount of Rs. 150 lakhs by taxation or by some other means. The people of the province are already overburdened with taxes and fresh taxation will not be advisable. Moreover, extra staff will have to be maintained for giving effect to total prohibition. Total prohibition was introduced in the subdivision of Dhanbad excepting Chirkunda thana which is on the border of Asansol subdivision, but the illicit manufacture and illicit distillation cases were so numerous that it was very difficult for the prohibition officers to manage. In some cases the Excise sub-inspectors and peons were seriously injured by the consumers. The prohibition in other provinces has not been very successful. You all know, Sir, that the subdivision of Asansol is full of collieries and there are also a large number of industrial factories. Most of the coal-miners are the Santhals or other aboriginal tribes who are addicted to drinking of *pachai*; *pachai* is a cheap drink made easily from rice and is consumed by the poor labourers and aboriginals. It is both food and drink. The alcoholic strength is very low, viz., 5 per cent., and it has no pernicious effect. It is a necessity to the coal-cutters. These shops cannot be abolished.

As to the granting of licenses of shops I must tell you, Sir, that previously the licenses of shops were granted by auction system. The highest bidders used to be given the license. By taking shops in the highest bid the vendors had sometimes to suffer loss and some of them were ruined. They must have some preference

when the shops have become lucrative under the fixed fee system. There is another thing to note, Sir, and that is that there is a certain community who are expert in manufacturing certain wine: that community must have preference. Graduate vendors having no knowledge of excise business sit idle with handkerchief in their nose. They do not sit in the sale counter or take part in the sale. They exploit the Scheduled Caste people who are experts.

There is a proposal that shops should be settled for three or five years. This is almost absurd. I say, Sir, with all the earnestness I can command, that this system is absurd and impracticable. Suppose a man has got a shop for a limited period and his age for Government service expires, what is he to do after his license goes? Moreover, Sir, I say with due respect to the vendors that the vendor will naturally try to get as much profit as possible if he knows that his licence is a temporary one.

As to the opening of new shops, the Government opens new shops where there is a demand for it, and the shop is sanctioned by the local Excise Advisory Committee or the Licensing Board. The new shop in most cases checks the illicit distillation and smuggling. Cheapness of 75 U.P. is a check on illicit distillation and illicit manufacture. It does not increase drunkenness, but checks illicit distillation.

As you know, Sir, the subdivision of Asansol, is in the border of Bihar; the Bihar Government introduced cheap liquor at 4 pice per bottle and the sale of *pachai* was greatly reduced. But as soon as there was watch throughout the border, the sale improved and became up to one hundred maunds per month in case of 15 or 20 maunds per month.

With these words, Sir, I say that the Government should also consider the cases of Scheduled Castes as my friend has stated and also grant shops to those people of this province.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, there was a time——

Srijut NARENDRA NATH DAS GUPTA: Mr. Speaker, Sir, there is an amendment in my name. Shall I not be allowed any time to speak on that?

Mr. SPEAKER: I am sorry, but unfortunately there will be no time. I have already allowed four speakers, and if there was time I would have no objection.

Srijut NARENDRA NATH DAS GUPTA: In that case, Sir, we can continue the discussion to-morrow as mentioned in the agenda paper.

Mr. SPEAKER: No, we have got to finish it to-day.

Srijut NARENDRA NATH DAS GUPTA: The business will continue up to 6th April. Sir, we have come to represent our constituencies. If we are debarred from speaking, it will be useless for us to sit here.

Mr. SPEAKER: I cannot help that. I am sorry.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, there was a time immediately after I had taken over charge when I used to resent not merely unjust and unfair criticism, but even the harsh things that used to be said about me and the Government both in and outside the House. Time, however, has taught me patience, and I have been listening to-night to long speeches delivered by members sitting in Opposition in the course of which they have given long catalogues of the wise suggestions they have been making for the past three long years and the neglect of the Ministers to implement those words of advice as parts of their policy and particularly the oft-repeated charge that I have been making promises which I have failed to fulfil. I realise, Sir, that my friends in the Opposition are fully aware that the elections are drawing nigh, and they have got to issue their election manifestos. I take it, Sir, that these long speeches will be printed as parts of their election manifestos and their constituencies will be told that——(A voice from the Opposition: This is applicable to both sides.) So far as I am concerned I am not issuing any manifesto whatsoever. Whatever I have done will be my manifesto. I know, Sir, these speeches will be delivered as parts of their election manifestos to tell their admiring constituencies how they have worked day and night and how impervious the ministry has been not to recognise the good advice that they have been giving.

Now, Sir, so far as prohibition is concerned and the excise duty is concerned, I have not got much to say. It is all very well to talk of prohibition and appeal to people's sentiments to cloud the issue by charging the Government with not having done anything, and painting a fanciful picture of the achievements of Ministers in other provinces. My friends ought to know that I am a much travelled man, and I have been to every province not excepting those which had been governed by Congress Ministers till recently, and I can tell the House that there is not one single province throughout India which can claim to have introduced prohibition completely. (A voice from the Opposition: Bombay.) Bombay made a show by an announcement, and in Bombay the prohibition orders were flouted by the people. People used to get into the area beyond the land limit and used clandestinely to buy and sell, and very recently orders were openly disobeyed and when the Bombay Government prosecuted those persons,

the prosecutions failed and the accused acquitted on the ground that the Prohibition orders were *ultra vires*. The Bombay Government has had to appeal against that order and the Judgment of the High Court is being awaited.

Now, Sir, it is not surprising that things should be so. In Bengal Prohibition is not so much of a problem as it is in Bombay or Madras or Bihar or Orissa or even the United Provinces. No Bengal peasant, whether he is a Muslim or a Hindu, ever touches wine—not to talk of drinking, and if by any means Bengal could be made free of non-Bengalees, the drink problem would cease to exist in Bengal. ("Hear! hear!" from Coalition Benches.) It is not the Bengalees who drink but the up-country labourers and the aborigines from outside who have settled down in Bengal who require these drug shops and liquor shops and opium shops.

Speaking of the Muslims, I may say that it is a part of our religious creed to prohibit drinking of wine. One of my friends was telling the House that prohibition is as old as a century. I say that prohibition is as old as 13½ centuries, dating from the time, when the Prophet of Islam proclaimed Prohibition throughout the world. One way of having complete Prohibition is by becoming all Muslims, because I believe that no Muslim can drink wine. (Dr. NALINAKSHA SANYAL: Except the Nawabs.) Those who drink are not Mussalmans. ("Hear! hear!" from the Opposition Benches.)

Now, Sir, to come to the essential points that have been raised, we have adopted a policy of caution. We know, Sir, it is no use making a show of doing things, not meaning to do anything at all, or knowing full well that we will fail, to tell the world that we achieved wonders in the course of a limited time. Sir, we began with Noakhali because Noakhali has several advantages, and I am glad to tell the House that the experiment has succeeded wonderfully well in that district. The people have co-operated with the Government and have made it practically impossible for liquor to be brought illicitly within the confines of the district, and we propose to consider now the question of extension into the neighbouring districts of Chittagong and Comilla.

Now, Sir, in the case of Prohibition the one thing that has got to be remembered is not merely the loss of revenue but also the additional expenditure that has got to be incurred in order to enforce the laws which we may have to enact or the rules and regulations which we may have to promulgate. In the case of Noakhali, we had a good deal of voluntary co-operation, and if Bengal as a whole would come forward to co-operate with Government and minimise the cost of protecting the prohibited areas from being contaminated by people from those parts where Prohibition is not in force, the problem of Prohibition would become so much the easier. And to-day, Sir, the proposal was put forward by a member of the Coalition Party that it

is now the duty of the Bengal Provincial Muslim League to take up seriously the question of Prohibition. Sir, I wish to bring this matter up before the Muslim League, and I expect that with the co-operation of the Muslim League and of the people generally, it will be possible for us to extend Prohibition with minimum loss of revenue in the neighbouring districts of Noakhali, namely, Comilla and Chittagong.

Now, Sir, so far as I am concerned, I need not say that it is not quite correct to assume that I myself personally, or the Government as such, have resiled from the policy to try to introduce Prohibition in Bengal. As I have said, Sir, when we come face to face with facts, new difficulties arise, and at a time when we are hard pressed for money in order to meet the demands of administration, it is bad policy merely in obedience to sentiments to consent to any measure which has the inevitable effect of dwindling down the already dwindled revenues of the province. But, at the same time, we do not say that we consider the situation as absolutely hopeless. Much depends on what the people themselves can do towards inducing people to abstain from drink. One way of introducing Prohibition is by persuasion; another way is to educate the people and make them understand the evils of drink; and it is by persuasion and by education that more progress can be done in this direction than by coercive methods. It is a mistake to suppose that Government induce people to drink. Government are doing nothing of the kind. By introducing a licence fee on drink they are really trying to minimise the evil of drinking. If we abolish the Excise Department altogether and merely proclaim Prohibition, it will be found that people will take more and more to drink. It is only because of the licence fee on drinking that free drinking has been rendered impossible. Therefore, Sir, instead of levelling unfounded charges against the Minister of Excise, or the Government, it is the duty of our critics also to see that the people are induced to give up their habit of drinking. If that is done, very little will require to be done by Government. If people do not drink, the evil of drinking will cease to exist of itself. Unfortunately, however, those who drink the hardest are generally the people who shout the loudest for Prohibition. (Laughter) I have seen that those like us who never drink——

Mr. M. SHAMSUDDIN AHMED: The best way is to close down all the shops.

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not for me to consent to anything which may be said at random on the floor of this House. Suggestions may be given which will be considered, and I can assure the House that Prohibition is still our goal, but it is a goal to be reached by stages. Our step should be slow but steady. The best

player is he who does not rush to the goal but goes on quietly surmounting all obstacles, covering every inch, and then when he is near the goal shoots and finds the ball actually in the net.

Now, Sir, I wish to say one thing more about the speech delivered by my friend Mr. Abdulla-al Mahmood.

Babu KSHETRA NATH SINGHA: On a point of order, Sir. Both my charge and Mr. Mahmood's charge are against the Minister in charge, and we want to hear him.

Mr. SPEAKER: That is no point of order.

Mr. ATUL KRISHNA GHOSE: On a point of order, Sir. Is the Hon'ble Minister in charge entitled not to give any reply?

Mr. SPEAKER: I have not to decide that. Will you please sit down?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, it is rather hard for an officer to be criticised when he himself is not in a position to defend himself, but it is certainly open to any member of the House to bring the grievances either of a particular community or of a section of the House to the notice of the Minister in charge and of the Government generally. And I can assure the House that, so far as we are concerned, we have received certain representations which will be considered in due course, and my friends can rest assured that if there has been anything on the part of any officer of the department to which exception can be taken, Government will certainly do what can possibly be done to rectify mistakes or to redress grievances.

Now, Sir, as regards my friend, the Hon'ble Minister in charge, I have taken the liberty in saying these few words generally on the discussion because, Sir, the time is short. I can assure the House that he has been trying his best under somewhat difficult circumstances, and although we have not been able to achieve everything within the time that has elapsed, we are going steadily forward towards the achievement of our end in view. I know, Sir, that my friends want to accomplish everything by the end of December, 1941, so that they can go to their constituencies with a big list of what has been achieved. But the elections are not for giving opportunities to members to parade achievements before an admiring public, but the elections come after a certain time in order to give the constituencies an opportunity of pronouncing their verdict on the work that has been done. There are certain things which can be done in the course of months; there are certain things which take years; and there are certain things which take centuries. (Rai HARENDRA NATH CHAUDHURI: And Prohibition is one of them!) Time speaks for everything, and we have to recognise

the fact that different things take different periods of time—some take months, some take years and some take centuries, and whatever takes months to achieve cannot be completed in the course of a day. And Prohibition is one such thing. I hope the House will take my assurance that we still adhere to our policy and we are also proceeding slowly in the matter.

Maulvi ABU HOSSAIN SARKAR: On a point of information, Sir. Through you, Sir, I would ask the Hon'ble the Chief Minister whether he knows that on a Bill moved by Rai Harendra Nath Chaudhuri on Prohibition and recently circulated, the Licensing Board of Noakhali directly gave their opinion against Prohibition——

Mr. SPEAKER: It does not arise.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, before going into details about the licensing and number of shops in the province, and the position of consumption of liquor and other excisable articles here, a few words may be said about the past policy of the Government of Bengal with regard to excise matters.

Bengal, as is well known, is the most populous of all the provinces of India, although its area is smaller than that of several other provinces as shown below:

	Area in square miles.	Population.
(1) Bengal	77,521	50,114,002
(2) Madras	142,277	46,740,107
(3) United Provinces	106,248	48,408,763
(4) Central Provinces and Berar ..	99,920	15,507,723
(5) Punjab ..	99,200	23,580,852
(6) Bombay ...	77,221	17,992,053
(7) Bihar ...	69,348	32,371,434
(8) Assam ..	55,014	8,622,251
(9) Orissa ...	13,706	5,306,142

Owing to the existence of big industrial concerns in Bengal, there is a large number of up-country people in this province with peculiar habits of their own. Calcutta having been the capital of India for about a century and a half, many people from other parts of India and abroad had built their homes and business centres in this province which contributed greatly to the problems of Bengal in matters of excise. The existence of a colony of foreigners like Chinese, Japanese,

Burmese, etc., and Indians like Peshwaris, Marwaris, Guzratis, Sikhs, etc., renders excise administration in the province far more difficult than that in any other province.

Mr. MONMOHAN DAS: Mr. Speaker, Sir, I rise on a point of order. The Hon'ble Minister is making a long statement and is reading a written speech. But we are anxious to know what he says about the charges brought forward by Mr. Singha and Mr. Mal.

Mr. SPEAKER: That is a frivolous point of order which should not have been raised. Let the Hon'ble Minister finish, and if he has not by that time given a reply, then you can rise on a point of order.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Have patience and you will know my opinion on the points.

Sir, smuggling of excisable articles with Calcutta as the most important and biggest centre in India has been an acute problem for Bengal, and a constant menace to Bengal's excise revenue. The cocaine evil in Calcutta and its smuggling through foreign countries has been a very great problem which the Bengal Excise Administration has dealt with for so many years. The smuggling of opium and *charas* from up-country, particularly the former, partly for consumption in Bengal and partly for illicit export to Burma and China, has been a great problem for Bengal which no other province has had to deal with to the same extent.

Then again, nature itself has been liberal in bestowing the people of Bengal with an abundance of intoxicating articles. *Bhang* grows wild in almost all parts of Bengal, *tari* can be had everywhere direct from the tree. *Ganja* can be grown easily here, *pachwai* is prepared without any difficulty in every home of the aboriginals with common rice and yeast, while country spirit can be manufactured easily by the crudest method, using two or three *dekchis*. The up-country coolies in mills and factories take *charas*, *bhang* and liquor in greater quantities, having come from places where these things are easily obtainable and having comparatively better emoluments in these factories and mills than by other labourers of this province such as cultivators, etc. The aboriginals in Western Bengal take *pachwai* as their food and drink without which they cannot go on. The people of Western Bengal generally take country liquor in greater number and quantities than Eastern Bengal people. From time immemorial this practice has been going on for the people of this part of Bengal to prepare country liquor in their homes and the people cannot abandon it even now. During the time of the Pujas many people indulge in the liquor, particularly home-made liquor. Many people of Eastern Bengal, specially the artisan class and fishermen, cannot do without a smoke of *ganja* and Sadhus and Sannyasis with their *chelas* enjoy the smoke very much.

Places of pilgrimage such as Nabadwip, Nangalbund, Sitakundu, are well known for *ganja* smoking, specially at the pilgrimage season. Opium-eating has also been going on from times gone by. It is largely taken as a restorative medicine and as a specific for chronic diarrhœa. The bulk of the opium is eaten both by Hindus and Muslims alike for the above purposes and very little for the purpose of intoxication.

As already stated, *charas* is almost entirely taken by up-country people who reside in Bengal. As for *bhang*, most of it is consumed as medicine in the form of *modak* and of the little that is eaten as such the greater portion is taken by up-country people like Punjabis and Marwaris in the form of *sharbat*.

There were other factors to be reckoned with. There is French Chandernagore where excise laws were not strict and liquor and other excisable articles were cheaper. The Government of Bihar and Orissa followed a liberal policy in excise matters, making liquor and drugs cheaper there.

With the position of excisable articles as stated above, the Government of Bengal followed a policy of maximum of revenue with minimum of consumption, the end in view being to restrict consumption to the limit of actual requirements, without stimulating illicit dealings and smuggling. This policy went on well and the excise revenue which stood at Rs. 1,42,79,906 in 1916-17 rose up to Rs. 22,404,191 in 1928-29, while the consumption of liquor, *ganja* and opium fell from 626,454 L.P. gallons, 85,990 seers and 45,109 seers in 1916-17 to 583,804 L.P. gallons, 63,099 seers and 39,504 seers respectively in 1928-29. The continued policy of reduction of consumption by raising the prices too much, however, led to the formation of a strongly entrenched gang of smugglers and distillers in this province particularly in the Western Bengal, including Calcutta and its vicinity, the mill area. There is evidence that these gangs were more highly organised here than elsewhere (compare Gariahata Case). The root cause of the growth of illicit dealers and smugglers is more economic than anything else. The higher prices which had been fixed during the post-war boom were not reduced with the world depression in trade which had come in the meantime and adversely affected the economic condition of the consumers, reducing their purchasing power. This compelled them to seek for cheap illicit liquor and other excisable articles and, taking advantage of the Civil Disobedience movement, the illicit dealers grew up in every nook and corner of Western Bengal and some parts in Northern Bengal——

(Cries of "Let us take the speech as read" and "Finish your speech please" from the Krishak Proja Party.)

Sir, I appeal to my friend to listen to me a little further and not interrupt me, as I have many interesting things to say.

The excise crime increased by leaps and bounds and the excise revenue began to fall tremendously——

(Again cries of "Please finish your speech" and "Let us take the speech as read" from the Congress Benches.)

Mr. SPEAKER: I hope the Hon'ble Minister will now try to finish.

The Hon'ble Mr. PRASANNA DEB RAIKUT: All right, Sir. In 1929-30 the total number of cases was 5,757, but in the next year it was 10,016 and in 1933-34 it swelled up to 20,828 cases, while the excise revenue came down as follows——

Dr. NALINAKSHA SANYAL: Sir, I move that the question be now put.

Mr. SPEAKER: I am afraid the Hon'ble Minister must now bring his remarks to a close.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Very well, Sir. May I put a question to the honourable members and ask whether they think that increase in shops, increase in consumption means that we are encouraging drinking? Certainly not, Sir. It is all coming from illicit sources, and we are bringing the illicit dealers and customers to book. This is our policy.

As regards Mr. Kshetra Nath Singha's grievance, I must say that it is not possible to give certain percentages to the Scheduled Castes people in the matter of settlement of shops.

Mr. MONMOHAN DAS: Why not?

Mr. SPEAKER: If you are not prepared to listen to the Hon'ble Minister, I shall close the debate.

The Hon'ble Mr. PRASANNA DEB RAIKUT: But if there is any vacancy the case of the Scheduled Castes people is always given a sympathetic consideration.

As regards the allegations made against Ramlal and Shamlal, enquiries will be made into these cases. I understand that Ramsarup's cases are under appeal.

The motion of Mr. Satyapriya Banerjee that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Kshetra Nath Singha that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Iswar Chandra Mal that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Md. Abul Fazl that the demand of Rs. 21,53,000 under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—38.

Abdul Jabbar Patwari, Mr. Md.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Asimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Barman, Babu Upendra Nath.
Biswas, Mr. Surendra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Mr. Meenmohan.
Das Gupta, Babu Khagendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Malti, Mr. Nikunja Behari.
Maji, Mr. Adwaita Kumar.
Mal, Mr. Iswar Chandra.
Mizanuzzaman Islamabadi, Maulana Md.
Moqbul Hossain, Mr.
Mullick, Srijut Ashutosh.
Ramizuddin Ahmed, Mr.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Monmatha Nath.
Sanyal, Dr. Nalinaksha.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Thakur, Mr. Pramatha Ranjan.
Wahed Rahman, Maulvi.

NOES—73.

Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rashid Mamood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Khan Bahadur Shah.
Abdur Razzak, Maulvi.
Abdus Shahood, Maulvi Md.
Abul Hossain Ahmed, Mr.
Ahmed, Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. C.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Amulya Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Reza Choudhury, Mr. M.
Farhat Banu Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hassanuzzaman, Maulvi Md.
Hatemaily Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mariadin, Mr. F. J.
Millar, Mr. C.
Moslem Ali Mollah, Maulvi.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Nandy, the Hon'ble Maharaja Srischandra Cossimbazar.
Nasarullah, Nawabzada K.
Raikut, the Hon'ble Mr. Prasanga Deb.
Roy, the Hon'ble Sir Bijoy Prasad Singh.

Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Shahabuddin, Mr. Khwaja, C.B.E.,
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.

The Ayes being 36 and the Noes 73, the motion was lost.

The motion of the Hon'ble Mr. Prasanna Deb Raikut that a sum of Rs. 21,53,000 be granted for expenditure under the head "8—Provincial Excise" was then put and agreed to.

Adjournment.

It being 8-25 p.m.—

The House was adjourned till 4-45 p.m. on Wednesday, the 27th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 27th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 8 Hon'ble Ministers and 204 members.

STARRED QUESTIONS

(to which oral answers were given)

Mr. ATUL CHANDRA SEN: Sir, may I draw your attention to the fact that we have not had even 5 minutes to go through the questions?

Mr. SPEAKER: I cannot help it because the Council was adjourned only 5 minutes before. What can I do? The only way out is to have another Chamber for the Council.

As the Hon'ble Nawab Bahadur had an accident yesterday, all questions which are to be answered by him will stand over.

Employment of Bengalees in the Armed Branch of the Police Department.

*243. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing for the years 1935-36, 1936-37 and 1937-38 the number of Bengalees in the Armed Branch of the Police Department?

(*b*) What steps have the Government taken in the matter of gradual filling up of the Armed Branch of the Bengal Police by Bengalees?

(*c*) Have Government prepared any scheme to give effect to such filling up?

(*d*) If so, what?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) A statement is laid on the table.

(*b*) to (*d*) In 1938 Government ordered that a platoon of Bengalees should be started in the Armed Branch in one district in each Range. In accordance with this order a complete platoon of Bengalees has been started in the districts of Birbhum, Murshidabad, Faridpur, Tippera and Pabna. Future developments will depend on the experiment in these districts.

Statement referred to in the reply to clause (a) of starred question No. 243, showing number of Bengalees employed in the Armed Branch in the years 1935-36, 1936-37 and 1937-38.

Rank.	1935-36.	1936-37.	1937-38.
Inspector	1	1	1
Sub-Inspector .	1	1	1
Head Constable ..	13	13	16
Constable	235	221	199

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state the reasons for the gradual decline in the number of constables?

The Hon'ble Khwaja Sir NAZIMUDDIN: This is due to the fact that a certain number of range-reserved constables were retrenched in 1937.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state if that retrenchment is a temporary one?

The Hon'ble Khwaja Sir NAZIMUDDIN: This was due to the reorganization and acceptance of the Steven's Committee Report.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether any up-to-date report has been received by the Government showing the nature of working of these platoons?

The Hon'ble Khwaja Sir NAZIMUDDIN: There has not been sufficient time to obtain a report.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether these platoons are placed in charge of Bengalees or non-Bengalees?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state how long the experiment will go on?

The Hon'ble Khwaja Sir NAZIMUDDIN: It all depends on the results we obtain. If we get satisfactory results, we will increase the number of platoons. It may be possible that there may be an increase in the number of platoons next year.

Clerks in the Tippera Collectorate.

*244. **Maulvi MD. HASANUZZAMAN:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the Tippera Collectorate for the present time—

(*a*) the names of all (1) upper and (2) lower division clerks;

(*b*) the number of them that are (1) Hindus and (2) Muslims;

(*c*) the dates of their appointments; and

(*d*) the pay each of them is drawing at present?

The Hon'ble Khwaja Sir NAZIMUDDIN (for the Minister in charge of the Revenue Department): (*a*), (*c*) and (*d*) A statement furnishing the information is placed on the Library table.

	Upper division.	Lower division.	Sub-grade.
(*b*) Hindus ...	14	42	8
Muslims ...	3	47	9

Clerical strength in Land Acquisition offices, Calcutta.

*245. **Mr. UPENDRA NATH EDBAR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing separately—

(*i*) the number of—

(1) Clerks,

(2) Supervisors, and

(3) Process-servers

in the offices of the Land Acquisition, Calcutta; and

(*ii*) the number of them that are—

(1) Caste Hindus,

(2) Scheduled Castes,

(3) Muslims, and

(4) Other minorities?

(*b*) If the number of hands in the above office from the Scheduled Castes is negligible, what steps do the Government propose to take to the increase of their number of the said office?

The Hon'ble Khwaja Sir NAZIMUDDIN (for the Minister in charge of the REVENUE DEPARTMENT): (*a*), (*i*) and (*ii*) A statement is laid on the table.

(*b*) The appointment of members of the Scheduled Castes will be made in accordance with the Communal Ratio decision.

Statement referred to in the reply to clause (a) (i) and (ii) of starred question No. 245.

(1) Caste Hindus		15
Scheduled Castes		Nil
Muslims		11
Other minorities		Nil.
Post vacant at present		1
Total ..		27
(2) There is no post of supervisors.		
(3) Caste Hindus		6
Scheduled Castes		Nil
Muslims		3
Other minorities		Nil
Post vacant at present		2
Total ..		11

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state if those 27 appointments were made after due advertisement?

Mr. SPEAKER: That question does not arise as these refer to past appointment only.

Movement of Co-operative Marketing of Jute.

*246. **Mr. PATIRAM ROY:** (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware—

(*i*) that during the year 1924 the Government started a Co-operative Jute Sale Society at Sarishabari in Mymensingh;

(*ii*) that by the year 1927-28 there flourished as many as 10 societies; and

(*iii*) that in the year 1930 these societies were wound up by the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for winding up those societies?

(*c*) Is the Hon'ble Minister considering the desirability of launching a movement of Co-operative Marketing of Jute at this period of jute trade?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*), (*i*) and (*iii*) Yes.

(*ii*) 13 Co-operative Jute Sale Societies were in existence in 1927-28.

(*b*) The societies were wound up because they were incurring losses year after year and were unco-operative in character in that they did not deal with their members' produce but purchased jute in the open market like other trading firms.

(*c*) No.

Suspension of tour work by Inspecting Officers at Mymensingh.

***247. Mr. MANOMOHAN DAS:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that in Mymensingh all the Inspecting Officers of the Education Department have suspended their tour work for months together?

(*b*) If so, what are the reasons?

(*c*) Is the Hon'ble Minister aware—

(*i*) that the suspension of their tour work has been detrimental to the interest of the public education of the district, specially where free primary education is in vogue; and

(*ii*) that the public have thus been deprived of getting expert opinion of such officers?

(*d*) Will the Hon'ble Minister be pleased to state what action he proposes to take in the matter?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) and (*b*) No. Tour work was not suspended but curtailed to some extent owing to paucity of funds for travelling allowance.

(*c*) No.

(*d*) Steps are being taken to provide increased allotment.

Statistics of High English Schools for boys and girls in Bengal.

*248. **Mr. ISWAR CHANDRA MAL:** Will the Hon'ble Minister in charge of the Education Department be pleased to state the present number of High English Schools for—

(*a*) boys, and

(*b*) girls

in Bengal?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) 1,236 and (*b*) 74.

Increase in rates of passes issued to labourers for use of Reserve forests.

*249. **Maulana MD. MANIRUZZAMAN ISLAMABADI:** (*a*) Is the Hon'ble Minister in charge of the Forest and Excise Department aware—

(*i*) that before the year 1916 the labourers could cut and gather bamboos, fuels, Sangrass and graze their cattle in the Reserve forests by taking an annual pass at annas 12 only;

(*ii*) that at present separate passes are required for separate purposes; and

(*iii*) that these passes issued for annas 8 are valid for 15 days?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take to mitigate these grievances?

(*c*) If no action is intended to be taken, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*), (*i*) and (*ii*) Yes, so far as the Reserved forests of the Chittagong Forest Division are concerned.

(*iii*) The rate of fortnightly permit for removing daily one load of shoulder-borne bamboos, except umbrella sticks and Bariala bamboos, is annas 8.

(*b*) As compared with the rates in force in other parts of Bengal, the rates of royalty on forest produce in Chittagong are abnormally low. It is not proposed at present to make any reduction.

(*c*) The need to preserve the forests in Chittagong for the benefit of present and future generations is the reason. In 1916 the forests were in process of rapidly disappearing owing to excessive grazing and cutting and this process had to be halted.

Remission of rents to Khas Mahal tenants in Sandvip, Hatiya and Ramgati Circles, Noakhali.

*250. **Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing separately for each circle, and for the years 1937-38, 1938-39 and 1939-40, the amount of rent remitted to the Khas Mahal tenants of the Sandvip, Hatiya and Ramgati Circles in the Noakhali district?

The Hon'ble Khwaja Sir NAZIMUDDIN (for the Minister in charge of the Revenue Department): A statement is laid on the table.

Statement referred to in the reply to starred question No. 250.

	1937-38.	1938-39.	1939-40.
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Sandvip Circle ..	17,450 4 8	38,284 0 4	165 6 0
Hatiya Circle ..	65,111 6 1	30,111 15 0	18,686 6 9
Ramgati Circle ..	31,088 0 10	14,349 8 5	14,875 14 1

Travelling allowance paid to officers in connection with Gossaibari Co-operative Croup Conference.

*251. **Khan Bahadur MOHAMMED ALI:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact—

(*i*) that a Co-operative Group Conference was held at Gossaibari on the 16th March, 1939; and

(*ii*) that all the officers including about 18 peons of the Bogra Central Bank attended the conference?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what was the cost of the travelling allowance paid to the officers?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that all the Inspectors of Co-operative Societies, all Auditors of the Central Banks in Pabna and Bogra were also invited to attend the conference?

(*d*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the amounts of travelling allowance drawn by all the officers who attended the conference?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) the amount allotted for the travelling allowance of departmental officers for the current year in the division (Pabna-Bogra); and

(*ii*) the expenditure before and after the conference under that head?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) Yes.

(*ii*) Two Directors and the officers of the Central Bank except two Supervisors attended the conference with their peons whose number was 11 and not 18.

(*b*) Rs. 96-12-6.

(*c*) All the Inspectors and 12 out of 19 Auditors attended the conference.

(*d*) A statement is laid on the table.

(*e*) (*i*) Rs. 11,000.

(*ii*) Spent before the conference Rs. 7,871.
Spent after the conference Rs. 1,128.

Statement referred to in the reply to clause (d) of starred question No. 251.

		Rs.	a.
Assistant Registrar	... ...	11	3
Divisional Auditor	... ...	10	9
Inspectors (7)	... ...	74	0
Auditors (12)	... ...	59	9
Staff	. . ...	36	0
Peons	... ...	27	0
	Total ...	218	5

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Application of the Defence of India Rules in Bengal.

128. RAI HARENDRANATH CHAUDHURI: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) how many persons have been—

(*i*) arrested,

(*ii*) restricted in their movements, and

(*iii*) otherwise dealt with;

(*b*) how many—

(*i*) meetings, and

(*ii*) processions have not been permitted or prohibited; and

(*c*) the orders that have hitherto been issued on newspapers, under the Defence of India Rules in this Province?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) 535.

(*ii*) 59.

(*iii*) The question is vague and the information sought, therefore, cannot be supplied.

(*b*) (*i*) 61.

(*ii*) 11.

(*c*) 21.

Sekander Beel in the Khas Mahal estate of Khanjanpur.

127. Khan Bahadur MOHAMMED ALI: With reference to the reply given to the supplementary question to clause (*a*) (*iii*) of starred question No. 91 on the 26th February, 1940, will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) whether the enquiry was made; and

(*b*) what was the occasion for the inquiry?

The Hon'ble Khwaja Sir NAZIMUDDIN (for the Minister in charge of the Revenue Department): (*a*) Yes.

(*b*) The enquiry was held in connection with a petition filed before the Khas Mahal Manager stating that the settlement holder had been digging ditches in the Sekander Beel.

Postponement of realisation of settlement cost in Kurigram subdivision, Rangpur.

128. Kazi EMDADUL HAQUE: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the agricultural people of Jatrapur and its neighbouring *mauzas* in Kurigram police-station in the subdivision of Kurigram did not receive fair prices for their jute crops; and

(*ii*) that their jute stocks passed out of their hands before the Jute Ordinance was promulgated?

(*b*) If the answer to (*a*) is in the affirmative, do the Government consider the desirability of postponing the realisation of the settlement cost in that area?

The Hon'ble Khwaja Sir NAZIMUDDIN (for the Minister in charge of the Revenue Department): (*a*) (*i*) No.

(*ii*) Small quantities of jute had passed out of the hands of the agricultural people before the Ordinance was promulgated.

(*b*) All irrecoverable demands below Rs. 10 in each case due from tenants have been remitted. As regards realisation of other demands, discretion will be exercised in applying coercive measures according to the circumstances of each case.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to give us an approximate idea as to the quantity of jute that passed out of the hands of the agricultural people before the Ordinance was promulgated?

The Hon'ble Khwaja Sir NAZIMUDDIN: The honourable member ought to be able to judge what is meant by "small quantities" of jute, taking into consideration the total quantity of jute grown in Kurigram subdivision. We have got no actual facts. I think, it is about 25 per cent.

Kazi EMDADUL HAQUE: With reference to answer (*b*), will the Hon'ble Minister be pleased to give us an idea of what sort of discretion will be exercised in applying coercive measures, as indicated in the answer?

Mr. SPEAKER: That question is too vague.

Kazi EMDADUL HAQUE: In the answer it is given "discretion will be exercised in applying coercive measures according to the circumstances of each case." What is meant by "coercive measures"?

Mr. SPEAKER: I think that is too general a term. That means measures which are provided under the Revenue Code.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister specify it?

Mr. SPEAKER: That cannot be done until specific cases arise. That is problematic.

Distress of people of Serajganj subdivision due to failure of crops.

130. Mr. ABDUR RASCHID MAHMOOD: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that on account of the last flood there has been a failure of jute and *aman* paddy crops in the Kaijuri, Sonatuni and Gharjan Unions of Shahzapur and Chouhali police-stations in the Serajganj subdivision of the Pabna district; and

(*ii*) that distress is prevailing in those three Unions?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government propose to take for the relief of the tenants?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) Does not arise.

Appointment of Committees or Commissions by Government since the 1st April, 1937.

131. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing from April, 1937, to the latest available date—

(*i*) the names of the various Committees and Commissions, other than the Committees of the Legislature, appointed by Government from time to time, together with the names of the members of each of them; and

(*ii*) the number and dates of meetings held by each of such Committees and Commissions so far?

(*b*) Has any report been received from any of such Committees and Commissions up to date?

(*c*) If so, the date or dates when such report or reports were received?

(*d*) What action, if any, has been taken by Government on such reports.

(*e*) What are the total expenses incurred so far on each of such Commissions or Committees?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): A statement is laid on the Library table.

Dr. NALINAKSHA SANYAL: With reference to the Committee of Enquiry regarding industrial survey for which Rs. 38,000 appear to have been spent, will the Hon'ble Minister be pleased to state why only six meetings were held in the course of December, 1938, up to date and what steps are Government proposing to take to expedite the work of that Committee?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am only responsible for collecting the figures and placing them before the House.

Mr. SPEAKER: You will then have to address it to the Minister in charge.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what measures have been taken by the Finance Department to see that the expenses are kept within reasonable limits and the sittings of the committee are not unnecessarily prolonged?

Mr. SPEAKER: I do not think any department can do it.

The Hon'ble Mr. H. S. SUHRAWARDY: It is impossible.

Dr. NALINAKSHA SANYAL: It is the Finance Department's responsibility to see that expenses do not rise unnecessarily.

With reference to the committee about improving Madrasah education, here also the same question arises. It appears that no report has been received as yet. The committee first met in August, 1938, and nearly Rs. 5,500 have been spent. I am only addressing the financial question to the Hon'ble Finance Minister and probably other Ministers present might also take note of it. Will the Hon'ble Minister be pleased to state what measures are being taken by the Finance Department to see that the expenses are kept within reasonable limits?

The Hon'ble Mr. H. S. SUHRAWARDY: The expenses are incurred according to rules in existence, and if the rules are conformed to, the Finance Department will have to pay the bills.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if there is any budget prepared in connection with or on account of the meetings of these committees so that the Finance Department may keep an eye or control over the expenses in connection with these committees?

The Hon'ble Mr. H. S. SUHRAWARDY: No separate budget is prepared for each committee.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government are considering the desirability of obtaining from each committee an estimate of probable cost before they agree to permit the committee to draw on public revenues?.

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. I do not think that is necessary.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the reasons why a healthy control over expenses is considered by the Government to be not necessary in these cases?

The Hon'ble Mr. H. S. SUHRAWARDY: I hope, Sir, that the Minister responsible for each committee will exercise a healthy control over the expenses.

Dr. NALINAKSHA SANYAL: With reference to Land Revenue Commission, for which it appears that nearly two lakhs of rupees have been spent, will the Hon'ble Minister be pleased to state what total expenditure has been sanctioned or approved of by Government in connection with this Commission?

The Hon'ble Mr. H. S. SUHRAWARDY: I think that can be found in the budget.

Dr. NALINAKSHA SANYAL: So far as the budget is concerned, in the first year we had a certain sum specified, but in the subsequent years no mention specifically has been made.

Mr. SPEAKER: Yes, there is.

Dr. NALINAKSHA SANYAL: It is on commissions as a whole. There is no specific mention on this item. In the budget only a particular year's probable expenditure is given. I want the total amount estimated to be spent for this Land Revenue Commission.

The Hon'ble Mr. H. S. SUHRAWARDY: There is no such total amount, but I believe there is an item in the budget on special commissions of enquiry.

Mr. SPEAKER: I think if you have got the answer to your previous question, you have got the answer to this question also.

Dr. NALINAKSHA SANYAL: But this question is that I want to know the particular amount allotted for that particular year. What is the total assured amount proposed to be spent on this Commission

which has been spent and going to be spent in the current year or probable expenditure in the coming year and anything that might be dragged on for the subsequent year or years. Is there any estimated amount?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware of the fact whether any estimate has been prepared.

Expenditure on Commutation of pensions.

134. Maulvi MOHAMMAD MOZAMMEL HUQ: Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing, year by year, for the period from 1933-34 to 1939-40 up to date—

(*a*) the amount paid for commutation of pensions; and

(*b*) the amount given to—

(1) Scheduled Castes,

(2) Muslims,

(3) Caste Hindus,

(4) Anglo-Indians,

(5) Indian Christians, and

(6) other communities?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) The amount paid for commutation of pensions from 1933-34 to 1939-40 up to date is shown below:—

		Rs.
1933-34	...	4,22,418
1934-35	...	5,17,945
1935-36	...	13,00,116
1936-37	...	22,32,770
1937-38	...	8,77,388
1938-39	...	13,19,941
1939-40*	...	11,23,164

*Up to December, 1939.

(*b*) I would request the honourable member not to press for these statistics, which can only be collected after considerable trouble and expense. I would like to assure the honourable member that the religion of the applicants applying for commutation has no bearing on the amounts paid.

Institutions banned by Government in Faridpur district.

135. Mr. SURENDRA NATH BISWAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the names and addresses of the institutions in the district of Faridpur which are still now under ban by Government orders from functioning together with the following particulars:—

(1) the respective dates of those Government orders;

(2) the respective charges against those institutions;

(3) the nature of such articles belonging to each of those institutions as have been seized by the police; and

(4) the manner in which those articles have been disposed of?

(*b*) Have the Government reviewed the cases of those institutions during the current year and considered the question of removing the ban on any of those institutions?

(*c*) If so, when and with what result?

(*d*) If not, have Government considered the desirability of reviewing those cases and removing the bans?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (1) A statement containing the names and addresses of 13 banned associations of Faridpur district is laid on the Library table.

(2) The charges against them are stated in the following notifications:—

No. 2336-P., dated the 12th January, 1932.

No. 3312-P., dated the 28th January, 1932.

No. 8288-P., dated the 3rd March, 1932.

Copies of these notifications are also laid on the Library table.

(3) and (4) The information is not readily available.

(*b*) to (*d*) The reasons for imposing the ban still exist and in war time I do not feel justified in withdrawing the ban. The question of reviewing these cases now does not therefore arise.

Mr. SURENDRA NATH BISWAS: With reference to answer (3), will the Hon'ble Minister be pleased to state whether it is a fact that several books belonging to the Birendra Library of Palong were seized as having been objectionable?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I refer the honourable member to my answers (*3*) and (*4*)—information is not readily available.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether it is a fact that some books alleged to have been objectionable were seized from the Birendra Library and those books were distributed by the police to the neighbouring schools to be kept in their respective libraries?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no information, Sir.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether, in view of the information that has been obtained from this question, Government thinks it desirable to form an enquiry committee to enquire into these allegations?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir, I regret Government do not think any committee of enquiry necessary.

Mr. SURENDRA NATH BISWAS: With reference to answers (*b*) to (*d*), will the Hon'ble Minister be pleased to state what are the reasons for keeping the ban still in force?

The Hon'ble Khwaja Sir NAZIMUDDIN: I refer the honourable member to answers (*b*) to (*d*).

Mr. SURENDRA NATH BISWAS: The reasons have not been made clear, Sir.

Mr. SPEAKER: I am sure if you hammer it for one hour you won't get a more clear answer.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether in view of the fact that the persons for whose fault these institutions were banned have assured the Government that they do no longer maintain the policy of violence, the Government would remove the ban?

The Hon'ble Khwaja Sir NAZIMUDDIN: Even after the honourable member had corrected himself, viz., after saying "that they had given up" he corrected by saying "they assured the Government," even that improved statement is not correct. Neither have they given up nor have they assured Government.

Mr. SURENDRA NATH BISWAS: Is it not a fact that in releasing the detenus of the locality, the Government proceeded on the proposition that these detenus were no longer maintaining the policy of violence?

The Hon'ble Khwaja Sir NAZIMUDDIN: Nothing of the kind, Sir.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government have got any information with regard to any overt act of violence in the quarter in which these institutions exist?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have already stated that there is plenty of underground activities going on in that quarter.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what is the source of the information from which the Hon'ble Minister says that there is plenty of underground activities going on in that quarter?

The Hon'ble Khwaja Sir NAZIMUDDIN: The usual source of information that is obtainable to Government.

STARRED QUESTIONS

(to which oral answers were given)

Forced labour of under-trial prisoners in hajats.

*234. **Al-Hadj CYASUDDIN AHMED CHOUDHURI:** (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(*i*) that under-trial prisoners in *hajats* are forced to work in jails; and

(*ii*) that accommodation and dietary arrangements of many *hajats* need improvement?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of letting off the under-trial prisoners from work and making provision of better arrangements for them?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) No.

(*ii*) Accommodation is in some cases inadequate. The dietary is considered satisfactory and the health of prisoners does not suffer from it.

(*b*) It has not yet proved possible to improve accommodation in sub-jails for want of funds but proposals have been considered.

Results of Bengal Civil Service Examination held in February, 1939.

***239. Srijut NARENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the results of the last Bengal Civil Service Examination held in February, 1939, has yet been published?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

(*c*) Is it a fact that the number of Muhammadan students who have passed the examination do not come up to the communal ratio?

(*d*) If so, will the Hon'ble Minister be pleased to state the number of Muhammadan students who have secured qualifying marks?

(*e*) Is it a fact that the Government in their communique, dated the 9th August, 1939, regarding communal ratio in the public services have laid down in paragraph 6 that if in any competitive examination the requisite quota of qualified candidates be not available in any community the posts reserved for that community thus left unfilled shall be filled by qualified candidates of other communities?

(*f*) If the reply to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state whether qualified students from other communities are available to fill the vacancies which will be left unfilled for want of qualified candidates of the Muslim community?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes, on the 22nd February, 1940.

(*b*) Does not arise.

(*c*) to (*f*) The honourable member is referred to the reply to the starred question No. 153 given on the 29th February, 1940, and the statement made in reply to the supplementary questions in that connection.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Dacoities committed during the last five years.

119. Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay on the table a statement showing for each of the last five years ending with 1939—

(*i*) the number of dacoities committed;

(*ii*) the number of such cases investigated; and

(*iii*) the number of cases that ended in conviction?

The Hon'ble Khwaja Sir NAZIMUDDIN: A statement is laid on the Library table.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to refer to the figures given in the statement and state how does he account for the rise in the number of dacoities from 623 in 1937 and 574 in 1938 to 767 in 1939?

The Hon'ble Khwaja Sir NAZIMUDDIN: There are many reasons for this rise in the dacoity figures. It is difficult to enumerate them.

Mr. SPEAKER: You cannot say why dacoities are committed. (Laughter.)

The Hon'ble Khwaja Sir NAZIMUDDIN: Economic depression in particular districts sometimes affect the number of dacoities. Statistics will show that economic depression has a great effect on dacoities.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to refer to the figures given in the third column of the statement and state how is it that only so few cases end in conviction?

The Hon'ble Mr. A. K. FAZLUL HUQ: Because they were so well defended! (Laughter.)

The Hon'ble Khwaja Sir NAZIMUDDIN: Apart from the impromptu reply given by the Hon'ble the Chief Minister, there are also certain cases which are still under consideration, *e.g.*, cases in course of trial.

Rai HARENDRA NATH CHAUDHURI: But every year there is an increase in the number of such cases. In 1937, 118 cases ended in conviction out of 623, in 1938 only 133 cases ended in conviction out of 574, and in 1939 only 126 cases ended in conviction out of 767.

The Hon'ble Khwaja Sir NAZIMUDDIN: It is very difficult to procure good evidence.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state whether it is a fact or not that in spite of the so-called figures of investigation more than 60 per cent. of the cases go undetected?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think it will be found so not only in most provinces of India, but all over the world.

Rai HARENDRA NATH CHAUDHURI: That is no justification.

The Hon'ble Khwaja Sir NAZIMUDDIN: That is usual; we cannot do anything out of the ordinary.

Rai HARENDRA NATH CHAUDHURI: Is the Hon'ble Minister aware that Bengal suffers most from dacoity of all the provinces of India?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not agree with that.

Observance of Id prayer by prisoners in Kurigram Sub-Jail.

120. Kazi EMDADUL HAQUE: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether the *Id-uz-zoha* prayer was observed in the Kurigram Sub-Jail?

(*b*) If so—

(*i*) who led the said prayer;

(*ii*) whether he got any remuneration; and

(*iii*) if so, how much and from what source?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) (*i*) Maulvi Muhammad Ibrahim, Imam of the Kurigram Court Mosque.

(*ii*) and (*iii*) As usual a conveyance allowance of Re. 1-8 has been sanctioned for payment to him, the sum being met from the contingent grant of the sub-jail.

Enforcement of communal ratio decision in appointments under the Court of Wards.

125. Khan Bahadur Maulvi JALALUDDIN AHMAD: (*a*) With reference to the reply to starred question No. 57 on the 8th December, 1939, will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government have come to a decision with reference to the application of communal ratio in the offices under the Court of Wards?

(*b*) Has the attention of the Hon'ble Minister been drawn to the recent ruling of the Hon'ble High Court reported on pages 1212 *et seq* of the *Calcutta Weekly Notes*, Volume XLIII, No. 44, dated the 18th September, 1939?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) It has been *decided* that the communal ratio decision will not apply to Estates' services under the Court of Wards but that instructions should be issued that the principles of that decision should be applied as far as practicable in making appointments to such services, and that for the purpose of checking the extent of that application, returns should be submitted by the Estates to the Special Officer, Communal Ratios, for examination.

(*b*) Yes.

Message from the Bengal Legislative Council.

The Secretary then read out the following message from the Bengal Legislative Council:—

"The Bengal Legislative Council at its meeting held on the 27th March, 1940, agree to the Bengal Jute Regulation Bill, 1940, without any amendment."

(Cheers from the Coalition Benches.)

Short-notice question.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, I have tabled a short-notice question on a very important and urgent matter, and I realise that on account of the absence of the Hon'ble the Home Minister this matter could not be taken up yesterday. As this relates to the Corporation elections being held in a peaceful atmosphere, may I appeal to the Hon'ble the Home Minister to see that he can in the course of the day arrange to give a suitable reply to this question, because after to-morrow when the election will be held the purpose of the question will be completely gone.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have seen the short-notice question, and I accept it in this particular case. But unfortunately I am not in a position to give a reply to-day. This much, however, I can say that every step will be taken as far as possible to ensure that there is no disturbance of the peace and that the voters are allowed to exercise their franchise without any coercion from any side whatsoever. But it is impossible to guarantee that there will be no breaches of the peace. The matter rests more in the hands of the electorate and the general public than in the hands of the police.

Dr. NALINAKSHA SANYAL: May I know, Sir, if instructions have or are being issued to the police to take no sides and to observe absolute impartiality in the matter of maintenance of peace?

The Hon'ble Khwaja Sir NAZIMUDDIN: I may inform the honourable member that Government officers never take sides in any election. The insinuation is unjustified.

Maulvi ABU HOSSAIN SARKAR: How did the Faroqui case crop up?

Mr. SPEAKER: Now, there is one thing I should like to know, *i.e.*, about to-morrow's sitting. If we can make some arrangement, we can have either a late sitting to-morrow or a long sitting to-day.

Dr. NALINAKSHA SANYAL: Long sitting is impossible to-day, because there will be greater necessity of visiting the voters in connection with the election.

The Hon'ble Khwaja Sir NAZIMUDDIN: If the Opposition wants a holiday to-morrow, we have no objection.

Dr. NALINAKSHA SANYAL: No, we don't want a holiday.

The Hon'ble Khwaja Sir NAZIMUDDIN: I think that a request of this kind ought to come from the Opposition Whips.

Mr. JOGESH CHANDRA GUPTA: I agree that opportunities should be given to the members of this House to exercise their franchise to-morrow, and a sitting later in the evening will be more desirable than the ordinary sitting at 4-45 p.m.

Mr. Khawaja SHAHABUDDIN: My friend Mr. Gupta and myself had a talk about it, and after discussing the subject we found that the only way in which we could avail of this opportunity was not to hold any sitting to-morrow. But Mr. Gupta could not agree to it, and we thought that in that case we had no other option but to go on with it.

Mr. SPEAKER: We may sit as usual at 4-45 p.m. to-morrow.

Mr. JOGESH CHANDRA GUPTA: If the Government party do not agree to a later sitting——

Mr. SPEAKER: What is the time of polling?

Mr. JOGESH CHANDRA GUPTA: Polling will be over by 6 p.m.

Mr. SPEAKER: Why not sit to-morrow after 6 p.m., say, at 6-30 p.m.?

(Cries of "No objection" from the Coalition Benches.)

Rai HARENDRA NATH CHAUDHURI: Prayer time will intervene.

Dr. NALINAKSHA SANYAL: Many questions have been held over.

Mr. SPEAKER: I think it is arranged that we sit to-morrow at 6-30 p.m. and continue till 8-30 p.m. In that case the prayer time will be over by that time.

DEMANDS FOR GRANTS.

42—Co-operation.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 15,25,000 be granted for expenditure under the head "42—Co-operation."

Sir, in presenting this demand to the House I desire to indicate very shortly the steps that have been taken in furtherance of the policy of consolidation of the activities of this department on the one hand, and of expansion on steady and cautious lines on the other. While I presented my demand to the House last year under this head, I submitted to the House some of the steps that had already been taken, and I will not be justified to repeat them. I am not only sorry, but am surprised as well, to find from the cut motions, of which notice has been given, that they relate to some of these subjects which were discussed in detail, on that occasion on the floor of the House. It will, therefore, be necessary to point out to the House even at this stage that the department have really taken steps with regard to some of these matters and that the misapprehension indicated through these motions is not well founded. I should not, however, be justified in anticipating my honourable friends and that I must wait till I hear from them, as to what further criticisms they have to offer, with regard to these matters. It will, however, be my duty, in case any misapprehension is expressed, to remove the same in my reply at the end of the debate.

One of the difficulties which stood in the way of a proper development and sound working on healthy co-operative basis was the want of a proper and trained staff. We have now got a fair staff and have also been able to put the existing staff through training. It is hoped that with the training, both of theory and practice, of the principles of co-operation the officers will be able to apply themselves more usefully to introduce a healthy spirit of co-operation in the minds of all

co-operative society members, including those of village primary societies, in order that they may act in the very best way not only to remove their difficulties but also to increase their resources.

On an earlier occasion, I mentioned that to put the accounts of all the co-operative institutions upon a proper check and in sound order, it was necessary that the audit should be separated from the general supervision. One can easily realise the difficulties that an officer had while he was called upon to audit the accounts of a Central Bank along with his work of general supervision. The matter was examined in detail, and it has now been possible after we have taken our officers through the training to do this. The Audit Department has now been placed under the Chief Auditor and with the little money that I have asked for his office staff, he will have his own staff to pursue the work of audit, as distinct from the other branch. We have already put a number of trained officers in charge of this audit work under the Divisional Auditors and so far as the Central Banks are concerned, we can now say that the audit is separate from general supervision.

The position is, however, entirely different when we come to think of the thousands of village primary societies. Although the principle has been kept in view, it has not been possible in practice to apply the same with respect to these societies. Again, the activities of these societies are not of such a complicated character as would call for an immediate application of this principle.

So far as the question of expansion is concerned, we have been able to organise about 7,000 new societies to make credit facilities on short term basis available to about 1½ lakhs of new members. There may be apprehension in some quarters that this has been a bit hasty, but I can assure the House that although the number looks a bit large, the position of each one of the members of these societies was examined before the societies were registered and before credit facilities were made available to them. Again, a strict rule was followed inasmuch as the amount of credit made available was kept within the normal credit conditions of each one of these members. I shall indicate in a minute the marvellous effect that has been produced on the movement as a result of this step.

Honourable members of the House will remember that a very heated debate was raised last year over the subject of supplying rural credit when it was said that for various measures, rural credit had shrunk to a considerable extent. In my reply, I pointed out the steps that had already been taken by Government and those that were proposed to be taken in future. I said that Government would take such executive action as might be within their power to assist the banks in maintaining efficient management and further that if the action indicated did not attract fresh deposits to supply the minimum need for short term credit,

Government would help to such an extent as may be necessary and as may be justified by the economic assets and circumstances of the societies and their members. I mentioned among other things that new societies would have to be formed for that purpose, and I have indicated a moment ago the number of societies that have been formed already.

Sir, my esteemed colleague the Hon'ble the Finance Minister while presenting his budget estimates for the coming year made a mention of the steps that had been taken by Government to implement the promise that I gave last year on their behalf as a result of which Government for the first time in the history of the co-operative movement in the province came forward with direct financial assistance to the tune of 13½ lakhs of rupees advanced to the Provincial Co-operative Bank in order that the latter might supplement its own finances by this assistance to be able to supply this credit to the village society members through the Central Banks. I am sure the House will be glad to know that although the date for repayment of this sum is not yet due, practically the whole of the amount has been paid back.

I have indicated a moment ago that the result of the credit facilities has produced marvellous effects upon the movement, for, as a result of this, a new life has been given to it and members have felt that the Government of the day will really look after their wants when necessary. The House must have listened to the Hon'ble Finance Minister when he observed, "The favourable returns that the agriculturists have received from their staple crops since the outbreak of war in Europe will, we hope, relieve them from the necessity of having recourse to loans for agricultural purposes during the coming year and the provision on this account in the Loans and Advances section of the estimates for 1940-41 has been limited to the normal precautionary provision of Rs. 5 lakhs. If, however, the occasion demands and the Provincial Bank is unable to meet the requirements from its own resources, Government will approach the House for a supplementary grant, and I am certain that the House will not grudge it." I do not think any further assurance from me is necessary.

At the same time I must maintain that I do not consider that cheap credit facility is always desirable. Again, credit facilities through co-operative institutions must always be for productive purposes. Even though for various reasons the credit facilities in this province for the last few years were not so cheap and ready and even though the people had to pass through various difficulties, I feel that these have not been absolutely without their effects. For if they have done nothing else they have at least put a check upon the unnecessary and reckless habits of borrowing of our people, most of whom are illiterate and ignorant and that they have been taught the lessons of thrift and economy.

The department have exerted themselves to take steps for the purpose of increasing the resources of the members of the societies. I mentioned last year about the fishery societies and the sugarcane-growers' societies that had been organised and the results have been extremely satisfactory. In the current year paddy sale and supply societies on a larger scale have been organised in the district of Dinajpur where the members are not only assured of a fair price, but have earned a net profit of 6 annas more per maund of paddy. An orange-growers' society has been organised at Kalimpong with good results to the members.

The real problem that is facing us to-day is the rehabilitation of the movement by putting the societies on a sound working basis so that all these co-operative institutions may earn the confidence of the public in order that they may not only function as the means of supplying credit to the members, but that they will be able to pursue co-operative principles for the proper application of the credit facilities for productive purposes and to find good market for their produce. From this point of view the department have organised multi-purpose societies in some parts of the province and for the other a scheme has been drawn up which is now under examination. The point has also been hinted at by the Hon'ble Finance Minister in his speech.

The question of rehabilitation was discussed at a conference of officials and non-officials at Delhi in December last which was opened by the Hon'ble Kunwar Sir Jagadish Prasad, a Member of the Viceroy's Executive Council, in charge of this department, along with Education and Health. Although this scheme as drawn up was not placed before the conference, the discussion that took place there and the resolution ultimately adopted indicated the main outline of the scheme. It is hoped that when this scheme takes shape, the movement will be able to get rid of the present stagnant condition which is worrying us all and will cater to the needs of the innumerable masses in the rural area.

The House will realise that for the purpose of supplying credit on a long-term basis, I propose to establish five more land mortgage banks. There are already five such banks functioning in the province, and although the business of these banks did not reach the fullest expectation to be wholly self-supporting, it must be admitted that they have proceeded on very cautious lines and that up till now there had practically been no occasion to invoke the application of the Public Demands Recovery Act. These are mainly for the consolidation of old debts of the rural masses as also for helping them to have more lands and to improve old ones for the purpose of increasing their income. Although it has not been possible to go forward at once with the establishment of a larger number of such banks, the demand for which is really very keen, it is designed that the area of operation of these banks including

the existing ones will be extended in such a way as people living in areas beyond one subdivision will get full benefit out of them.

Sir, I do not think I should take any more time of the House, and with these words I put my demand formally before the House for its acceptance.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100.

I beg further to move that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100.

Sir, the object of these two cut motions are to raise discussions on the failure of Government to formulate and initiate a comprehensive scheme for rehabilitation of the credit of the Co-operative Credit Department and to ensure improved facilities for rural credit, and further to draw attention to the maladministrations of the Co-operative Department and failure to check corruptions in the co-operative societies.

Sir, year after year, session after session, we have been trying to emphasize on the Government the urgency of measures for the improvement of this most beneficent department of Government. Two and a half years ago when the first budget was under discussion, I had a note circulated and I made some pointed reference to allegations of corruption in the department and suggested the appointment of an enquiry committee to investigate not only into the definite charges brought to light from time to time, but also to find out ways and means for establishing rural credit. In that connection, Sir, the Hon'ble Chief Minister was good enough to assure the House and us with some amount of touching personal note that he would do everything possible to make a thorough investigation into the working of the Co-operative Department and assured the House that so far as he was concerned, "I can say," these are his words, "with a certain legitimate pride that co-operative societies are nothing new to me, nor am I unacquainted with the intricacies of co-operative societies. I will personally look into the cases that have been mentioned. I will try to get further particulars from my friend. If a *prima facie* case has been made out, a committee will certainly be appointed." He further added, "If it is found that some kind of investigation has got to be made and a drastic step has got to be taken, it will be done."

Sir, since then two long years and a half have elapsed. From time to time on the floor of this House and outside in the columns of newspapers specific complaints as well as general complaints have been made, and it was not long ago—it was only yesterday—

that an estimable member of the Coalition Party himself drew attention to certain instances of maladministration in the district of Bogra. I submit, with no heat from the party point of view, for the consideration of the Hon'ble the Chief Minister if he would yet step in and intervene in a matter like this and try to set things right in order to save the rural population of Bengal and see that the entire rural credit does not go down any further as it has already gone down sufficiently low.

Sir, the defects and the drawbacks of the co-operative movement in Bengal and particularly the drawbacks of the department in charge have been many and varied in character. Some of these defects are defects of administration; some of the defects are defects more fundamental, *i.e.*, defects of policy. There have been complaints made that the department had so far failed to formulate any comprehensive policy, both with regard to new societies as well as old and existing societies, to stabilize the position of the old and to formulate new schemes, for the proper functioning of the rural agricultural societies. There has been no scheme so far and the want of policy in regard to rural credit has been one standing scandal in this province; for all other provinces in India have from time to time formulated schemes and have been steadily pursuing those schemes with energy and perseverance which can only be emulated with advantage in Bengal. Sir, just to curtail the time of the House I would merely mention some of these drawbacks without elaborate details, because some of these have been mentioned in the Press, in the columns of the *Amrita Bazar Patrika*, in the columns of the *Basumati* and other papers, and there have been also numerous questions asked in the House from time to time from which honourable members could find the real state of affairs and the details. These defects have been as follows:—

(1) Want of policy regarding rural credit in respect of old and new societies.

(2) Inefficiency or negligence at the top.

(3) Delay in disposing of cases.

Our esteemed countryman, Mr. Narendra Kumar Basu, several years ago drew attention to the large heap of files of papers lying in the Co-operative Department unattended to for months and for years, and at that time he also drew pointed attention to what he called the "department-in-law," that is the Co-operative Department, because there had been so many officers who were there due to relationship with either Hon'ble Ministers or high officials. That state of affairs still continues.

Then, Sir, (4) there is the failure to publish the annual report in due time. The 1937-38 report is still not available. The 1938-39

report can, of course, not be prepared if the 1937-38 report has not been prepared yet. Then, Sir, (5) we noticed delay in putting into operation the staff reorganisation scheme and the training scheme, (6) inability to separate the Audit Department from the Administration Department and from the control of the Registrar—a healthy reform which has been demanded from all sections of the House and from all sides both official and non-official—and yet I do not know why there is such an inordinate delay in separating the Audit from the ordinary administration of the department. (7) Thereafter there is the question of strangulation of the Bengal Co-operative Organisation Society and the formation over its ashes of what they call the Bengal Co-operative Alliance. (8) Complaints have been made also about the mismanagement of the Provincial Co-operative Bank, (9) about the irregular and spasmodic measures for establishing new societies, (10) about the irresponsible management of central banks leading to the freezing of assets and failure to meet the liabilities of the depositors, (11) about the corruption and nepotism in the matter of appointments, posting of officers and promotions, and (12) about defalcations, mishandling of funds and the like. Catalogues of lists of defalcations have been presented to the House. Assurances were given by the Hon'ble Minister-in-charge, 2½ years ago that each one of these cases would be looked into and the results of the enquiries would be communicated. Nothing has been done so far.

Then, Sir, to crown all, (13) there have been a number of ill-conceived new societies, societies not mainly for the purpose of extending co-operative credit, but mostly for arranging quick payment or giving out of agricultural loans. I was informed that nearly 6,300 agricultural loan societies were formed in the course of two months or so last year. There have also been (14) improper and ineffective utilisations of the funds provided by the Central Government for co-operative training and education and for rural development.

Reverting back to maladministration of the staff and maldistribution of the officers of the department, it is understood that the original intention of Government was to have 1 Inspector for a certain number of societies and 1 Assistant Registrar for a certain area. We find instead that nearly 8 Inspectors are roaming about in and near Calcutta and many of them are found to be engaged in arranging parties and dinners and such other celebrations for and on behalf of the department. The discontent and dissatisfaction amongst the staff is colossal as a result of patronage and nepotism. Naturally those officers who are faithful and able feel that injustice has been done to them, and they are thoroughly discontented at the present moment. And there is, to crown all, (15) a complete deadlock and stagnation in the rural credit arrangements. This is

admitted in a note circulated confidentially by the present Registrar about the proposals for the rehabilitation of the agricultural credit movement and for providing further credit facilities to the agriculturists. Sir, the failure of the movement is ascribed by the Registrar of the department to certain causes. The most important of these causes mentioned by him is the economic depression and much has been made by the Hon'ble Minister-in-charge about this alleged economic depression, and every year we listen to certain amount of comments about difficulties due to economic depression. I may point out to the Hon'ble Minister that the economic expert of the Calcutta University—I mean the Minto Professor of Economics —who made a thorough study of the co-operative problems has practically laid bare this charge. He has demonstrated to the satisfaction of everybody who would like to have an independent judgment that the economic depression as a cause is a complete bogey, so far as Bengal's co-operative movement is concerned. The depression in the co-operative movement set in long before the advent of economic depression. Economic depression has only given a handle to the department to cover up the sins of omission and commission which were continuing for years and months.

The second cause mentioned by the department is the policy of the previous Government. I think that for a Government department to lay blame on a previous Government is something which, to say the least, is most ungenerous. I have never heard of such things being mentioned by any responsible officer of the State.

The third cause stated is the inefficiency of non-officials in the management including, of course, honourable non-officials like our esteemed friend, Mr. W. C. Wordsworth, who has been connected with the movement for a long time. Then, Sir, a funny statement has been made in this confidential note that due to Proja movement great difficulties are being experienced; the Proja movement of the Hon'ble Mr. Fazlul Huq, the Chief Minister, has been ascribed as one of the reasons——

Mr. SPEAKER: I am afraid, Dr. Sanyal, before you refer to a confidential document, you have to place it before me.

Dr. NALINAKSHA SANYAL: Sir, I will not refer to it.

Then, Sir, the Proja movement is considered to have created a feeling of no-payment of dues in the agricultural areas as a result whereof the co-operative societies along with many other institutions are suffering.

Another reason stated is the high rate of interest and also weakness in the moral side of the movement. Here I must admit that our Registrar has really struck at the most important point, and he has stated the position frankly and openly. There is an admission

and in this there is the real clue as to which direction we must now direct our attention to improve the morale and the working of the entire Co-operative Department. He says that our cultivators and people in general have not been sufficiently educated to appreciate the value of the co-operative movement and the moral side of it. The real basis of co-operation in this province has been wanting. I will come to that later on, if I have time enough. The effects of the Bengal Agricultural Debtors Act, the inadequacy of the financial provision by the Government and the inadequacy of the powers of the Registrar under the present Act, have been, among other reasons, stated by the Registrar, and the department has also suggested and practically adopted certain remedial measures so far. Among these remedial measures has been the so-called policy of consolidation involving liquidation of bad societies, reconstruction of other societies, remission of overdue interest, reduction of rate of interest and speedy collection of loans. There have been departmental officers engaged in or appointed to help, like durwans, in collection of dues of the central banks. An enquiry was undertaken by Mr. Porter, the then Joint Secretary of the department, and as a result of that certain realistic basis for accounts of central banks was proposed to be adopted which, however, could not unfortunately be carried out later on. A change in the policy of central banks was however introduced in that they could not advance loans on long terms, but would have to confine their loans to short terms only.

A scheme for the training of co-operative officers has also been suggested as one of the remedial measures, and with some partial success arrangements were made for the adoption of that scheme, although belated

Then, Sir, the strengthening of the staff was another measure which was mentioned by Government two years ago, and after some amount of delay, some strengthening has been effected recently. Drastic reconstruction measures with a view to reduce the old liabilities are now considered to be the only other measure that has got to be undertaken; and with that end in view, Government or rather the department propose to have a debenture loan scheme, and on the basis of such debenture amount that Government would be prepared to raise——

The Hon'ble Mr. A. K. FAZLUL HUQ: On a point of order, Sir. That report is confidential and has not yet been considered by the Cabinet, and I do not think my friend is entitled to say that any scheme is under consideration.

Dr. NALINAKSHA SANYAL: Sir, may I, for the information of the Hon'ble Chief Minister, state that this scheme of the department has been discussed in a conference in Madras in October,

1939, where members of Government and also non-official members were present and the scheme has been circulated widely and is in possession of many persons——

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member referred to what Government proposed to do.

Dr. NALINAKSHA SANYAL: I have not committed Government. The department has proposed to have a debenture scheme and if Government is prepared to sanction the amount of money they would like to have, a large amount nearly 4 crores of rupees—a little over Rs. 3½ crores—is likely to be raised on the credit of the Provincial Co-operative Bank——

The Hon'ble Mr. A. K. FAZLUL HUQ: A comment like that will prejudice the whole scheme. May I point out to the honourable member that, that is only a suggestion of the Co-operative Department—it may be modified, it may be that the whole Assembly will have to take this scheme into consideration—but if my friend criticizes that proposal adversely, the whole proposal may become unpopular and unworkable.

Dr. NALINAKSHA SANYAL: I would like to tell the Hon'ble the Chief Minister that it is not my purpose to talk ill of the scheme, because I have found in the scheme many valuable possibilities, and I do admit frankly that, if properly worked out, that scheme may be the basis for a certain amount of healthy reorganization. I can assure the Hon'ble the Chief Minister this much, so that he may not worry about the criticism which I may make only with a view to see if things are managed in the proper way. I am offering my observations now, because, we on the Opposition may not and will not have any opportunity of helping Government in regard to the scheme or schemes that Government might formulate later on——

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not worried, but other people might be worried. It is for them that I have spoken. I am worried at nothing.

Mr. SIBNATH BANERJEE: Sir, may I know if the worry of the Hon'ble Chief Minister is a point of order?

Mr. SPEAKER: That is not a point of labour either. (Laughter.)

Dr. NALINAKSHA SANYAL: And to crown all, the suggestion of the department is to have greater power given to the Registrar and a Co-operative Bill, drafted in 1936, before the present Government stepped in and finally given shape in 1937 before the Hon'ble Minister had time to look into the affairs of the department, was introduced in the House and referred to a Select Committee. The Select Committee have reported on the Bill and it now awaits discussion.

These are the sum total of schemes for the rehabilitation of the movement that have been presented by the department so far. I submit for the consideration of the House if it would be possible for the Government or for the House to agree to any large commitment before a thorough investigation has been made into the affairs of the whole department and particularly into the allegations made from time to time on the floor of the House and outside. The most important thing in this connection, I submit with all the seriousness that I can command, is to establish public confidence in the department and no stone should be left unturned to reestablish that confidence once more——

(Here the honourable member reached the time-limit and was allowed two minutes to conclude his speech.)

Sir, I have my own idea about remedial measures. The most important of these is the appointment of a suitable person as Registrar. After all, as the Hon'ble ex-Finance Minister explained to this House, the working of a scheme, however well-planned it may be, depends upon the man who is asked to execute that scheme. Let us have that type of man, that type of a Registrar the qualifications of whom have been stated from time to time by the Maclagan Committee, by the Royal Commission on Agriculture, and even by the Agricultural Credit Department of the Reserve Bank of India. I would also like the Hon'ble the Chief Minister in this connection to examine very carefully the possibilities of utilising other sources than the co-operative movement for strengthening and improving rural credit. I have got an important book, Sir, not written by any Hindu economist but by a Muhammadan economist, a Professor of the Osmania University, Dr. Iqbal Quoreshi, a book on "State Bank for India." This Dr. Quoreshi is a doctor of the Dublin University and an M.Sc. in Economics of the London University. He, after a careful study of the state banks and land mortgage credit banks in Australia, New Zealand, South Africa and United States of America, has suggested that the only way to improve rural credit in this province appears to be by the establishment of state banks, not state banks where political interference in day-to-day administration will be permitted, but state banks with expert management with certain amount of reservations in the management. This he has recommended. I commend this book

for the consideration of the Chief Minister and the Minister in charge of Rural Indebtedness and to the members of the Coalition Party. I submit that in order to examine the whole scheme for rural credit, let us not have any party bias in this connection. I appeal to the Hon'ble the Chief Minister, let him keep to his promise, let him not merely convert the debates and discussions in this House into mere unreal talks as has been the case on many occasions, and let him not confine himself merely to giving flowing promises and then not following them afterwards.

(The member at this stage having reached the time-limit resumed his seat.)

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, as a humble worker in the field of co-operative credit, I should like to make a few observations, and my observations will be of an entirely different nature from those that we have just listened to. I wish rather to pay my humble tribute both to the Minister and to the Registrar, and with the Registrar to his department and office, for the hard work they are doing on a very difficult matter; with them I should like to associate hundreds and thousands of unpaid workers in this province who are doing their best for co-operative credit and who are again and again attacked in bitter language.

I have heard a friend rejoice that he belonged to two of the only three classes that receive public sympathy in Bengal He was both a tenant and a debtor. When I spoke to him about co-operative credit and told him of the tens of thousands of institutions through which he might also have joined the third class, the favoured class of borrowers, in such a privileged manner that if ever anyone was bold enough to speak to him about repayment he could get someone to stand up in this House or in another place and speak of tyranny and want of co-operative spirit, he declared himself astounded, and said that he felt like the soldier who firing his musketry course at Bisley missed all the targets.

There is a great deal of good work being done in this province. But it is quite right, it is quite correct, that there is a great deal that has to be put right. We are working steadily towards a better state of affairs, and I think in our Minister and in our Registrar we have men who are not sparing themselves, men who do not deserve anything of the hard language that has been hurled at them this evening and hurled at them in all the years that I have been in this Council and Assembly. So I am going to suggest that we take a little more generous view this evening and thank them for their work. The reasons why I say this are these.

My first reason is that all their faults and many more faults than they could possibly think of have been discussed again and again.

They have heard it all, they know it all, the reporters know it all, and a change will be salutary.

My second reason is, that things are getting better, that the peasant in these better times that have come for him is beginning to realise his obligations in a way that may seem to be unsatisfactory to a number of members of this Legislature. He is beginning to pay up his dues to the societies and to other creditors, and I think we should not say a word or lift a finger to prevent him doing this. We have talked a great deal in recent years of scaling down debts, and now he is beginning to scale down his debts in a way that we did not imagine would ever happen.

The third reason is this, and it has already been referred to. We are soon to have a big Bill on which a number of members of this House have worked hard for the last two years. In an hour's discussion we can do little, even in the use of abusive adjectives. But when we have a Bill that will last a fortnight or three weeks, then we can take off our coats, tuck up our shirt sleeves and wade into the Bill, and if we like wade into one another. That will be an opportunity for discussing, approving, condemning, altering and revising the whole system of co-operative credit in this country. It is a Bill that aims at revising the present Act in the light of about 30 years' experience, and, I repeat, a large number of members of this House have worked hard on it. Apart from that many people who are not members of this House and who have worked hard for co-operative credit, that is to say, who have worked hard to help the peasant and take capital to him, have also voluntarily come forward and put their experience, their time and their thought at the service of the Minister for this Bill. I therefore suggest that any grievances against the department, and against the Minister, might conveniently wait until that opportunity when we shall have larger dimensions of time in which to deploy our forces if we feel called on to do that.

The peasant is now by his own action unfreezing the frozen stream of which members have spoken in this House for the last three or four years. The co-operative credit movement is once more beginning to be a movement. The money is coming back, and it comes back only to go out again; if we can keep this process going, a great deal of the evil, a great deal of the inconvenience of which we have heard so much will automatically disappear. But let us remember that we are always working under the handicap of a wrong word. Our co-operative credit as we work it in India is not co-operative credit. It never has been co-operative credit. It is a contrivance for giving capital to the peasant in an easy way with a little pretence at being co-operative. If it were properly co-operative, the peasant would not be in the advantageous position at any time of being able to say "no" when creditors and societies tried to collect their debts. We may remind one another once

again that the whole tendency of opinion in this province for the last few years has been to encourage the peasant to be lax and dilatory in his duties to them. We have heard this evening that the economic blizzard is not the explanation of the peasant's troubles. I dissent entirely from that point of view. The economic blizzard, strengthened by the general feeling in this country against landlords and creditors and lenders, has had a great effect on the peasant. But he is now acting as he should, despite, I think, endeavours to make him act otherwise, and he is beginning to pay back his dues. He may be doing this under some kind of importunity, but we know that co-operative credit societies can hardly work otherwise than through importunity. There are no big sticks whereby they can coerce their debtors. So long as the money comes back, I think the co-operative societies everywhere will be satisfied; the Registrar will smile; the Minister will smile; (Laughter) and the emotion with which the money is paid is of no concern to those who get it. After all, every proper man pays money out with reluctance. There is a proverb: "The fool and his money are soon parted." It is nowhere said that a citizen and his money are soon parted. I have never heard it said that an Englishman and his money are soon parted (Laughter) and no one has ever breathed a suspicion that a Scot and his money are soon parted. (Laughter.) So long as we part with the money, the emotion that accompanies the parting is no concern of the business world, and as human beings with a little taste sometimes for the study of psychology we may agree amongst ourselves that a man who is not capable of emotion is not capable of being a good citizen.

I therefore end, Sir, as I began, by saying that the Minister and with him the Registrar of the department have done very fine work indeed. And we must remember that this movement, apart from general supervision and advice, is mainly a movement of non-officials. I believe some members think that the whole construction of co-operative credit is a Government responsibility, and we see suggestions that Government should come to the rescue with official capital. (Dr. NALINAKSHA SANYAL: Extension of service is assured!) That may be necessary some day, but we should consider this carefully before we accepted it as a satisfactory solution of our difficulty. Some sage—I do not remember his name—wrote that if you can escape from a flood by swimming, it may be doubtful wisdom to attempt safety by clinging to a tiger's tail. (Laughter.) So long as you can manage by private enterprise, I think co-operative credit is better for it.

Khan Sahib HAMIDUDDIN AHMAD: Mr. Speaker, Sir, while opposing the cut motion of Dr. Sanyal, I feel it my duty to express my views about the responsibility of the Government for arranging credit facilities to the rural people.

There is no gainsaying the fact that all our schemes will primarily and ultimately depend on the financial improvement of our masses.

The measures which have already been passed and are contemplated for the amelioration of the condition of rural Bengal such as conciliation of debts, Money-lenders Bill, Primary Education Act, Jute Regulation Act, Regulated Market Bill, the Bengal Tenancy Act and the like, must eventually rest on the arrangement for supply of money to the people in general.

It must be admitted that certain measures which were urgently necessary to be adopted for temporary relief to the indebted agriculturists have affected the rural credit to a great extent and, as a result, money has become shy in the countryside.

Improvement of the economic condition is also needed for paying education cess and for providing school houses by the public.

Regulation of jute cultivation and raising its price cannot be made successful unless the needy cultivators are supplied with cheap credit facilities.

We cannot expect nor can we force the starving agriculturists to wait and withhold their jute for a better market unless we tell them that arrangement has been made for meeting their necessary expenses for the time being. (Dr. NALINAKSHA SANYAL: Your Minister says that it is bad!)

Short-term loan is an indispensable need for the cultivators for growing their crop, as for instance, for purchase of cattle, seeds, etc.

In the absence of credit arrangement, reckless sale of land very often at a lower price and to the non-agriculturists will become inevitable.

The result will be disastrous. The needy cultivators in no distance of time will turn into landless beggars.

It is therefore incumbent on the Government to provide credit facilities to the people and the only way to do it is to expand co-operative banking in villages.

Much has been said about the crisis of the movement to which it has reached now, but we are to remember that the time has changed since this movement was inaugurated in 1905 and reorganised in 1912.

The co-operative societies and central banks were at that time to compete with individual creditors, which factor has now become almost absent from the scene.

I do not deny the fact that there has been some want of confidence in the central banks by the depositors and for the matter of that in the movement as a whole, but that is due to the policy of directing the movement on a wrong line.

So long the department was mainly and perhaps exclusively concerned with the credit side of the movement without giving any attention to the improvement of the economic side at all.

If the department is thoroughly overhauled and both the credit and economic sides are developed with equal care and attention, I do not think that there is any risk of this movement coming to a crisis.

The confidence of the depositors can only be restored if Government gives guarantee to their money.

This will not, as I foresee it, involve the Government ultimately in any financial responsibility actually to be redeemed, as the entire rural assets will be pledged to it. The Co-operative Bill which is on the anvil gives sufficient power to the Government to deal with delinquent individual societies and strong safeguard against Government guarantee being abused. Government cannot shirk the responsibilities of providing credit facilities to the agriculturists after having killed other sources for it.

It is these agriculturists in Bengal that constitute the State and the assets, whatever they are, are the assets of the State.

It is they who produce money and distribute it to different branches of supply of revenues, and the State is morally bound to nurture them properly.

From the report received it appears that the latest short-term loan granted to the agriculturists through the Co-operative Department has been realised to the pie and this is really encouraging. The scheme of advancing money for short-term through the department should be expanded so as to meet the actual needs.

Last year's grant benefited only a small portion of the people.

The arguments of the Hon'ble Minister that there will be less demand or no demand this year on account of rise of price in jute which is said to have improved the economic condition of the *raiyats* is not at all correct, because it is a patent fact that the price went high so late in the season that not more than 10 per cent. of the growers could derive the benefit out of it.

The growers did not anticipate this abnormal rise, nor had they any means to withhold the commodity. Huge amount of the money that has come to Bengal on account of the war demand has gone into the pockets of the middlemen.

(At this stage the member reached the time-limit, but was allowed to continue for two minutes more.)

I can say it from my own personal knowledge of the countryside that the demand for short-term loan will be much larger this year. The issue of debenture which is necessary for long term credit and

regulation of jute sale by starting co-operative sale societies has become all the more urgent at the present time.

Fixation of minimum price of jute or any attempt to raise its price presupposes some arrangement for meeting the combined attempt of the purchasers for baffling the same. The above facts and circumstances will, I believe, justify my proposal for starting of land mortgage banks in each subdivision for supplying long term loans, advance of a crore of rupees for short-term loan through co-operative societies to be started in each union, establishment of co-operative jute sale societies in jute-growing areas and issue of debenture but for which all our anxiety to give relief to the agriculturists will be of no avail and the ameliorative measures already passed will be infructuous. We have become tired of hearing of the preparation and consideration of schemes; the people are no longer prepared to be satisfied with sweet words and hopes of schemes, but they want something tangible and that immediately.

Maulvi ABU HOSSAIN SARKAR: Mr. Speaker, Sir, this evening I would like to say only a few words about the condition of the central co-operative banks. It is common knowledge that the activities of these banks are practically at a standstill. They are put into difficulties from all sides; firstly, by the creditors, that is the depositors of the banks; secondly, by the provincial bank; and, thirdly, they cannot realise their dues which have already become frozen. Therefore, even if the central banks are managed efficiently, then also for want of funds and due to other disturbances they are not being able to do anything in the way of expansion. I can speak from my personal experience as I am connected with one of the central banks that in spite of the good wishes of the directors and persons who are co-operatively-minded, their activities cannot be extended. It is very difficult to procure money from the mufassal nowadays, and at the same time it is almost impossible to realise the assets. So it is incumbent upon Government to come to their rescue. We are hearing many things for the last three years. It is also reported that some schemes like the issue of debentures and other things will be taken up, but during the last three years we find that no mature policy has even been thought of by Government, neither are we confident that anything will be done in the near future. I hope the Hon'ble Minister, as well as the Chief Minister, will take it very seriously as rural credit is already frozen, and especially as people in some parts of the country at least are becoming co-operatively-minded the activities of the central banks are highly appreciated. So it is necessary to explain their activities in other directions. They should not wholly confine themselves to advancing money to the agriculturists. Some of the banks are very eager to extend their activities in the true sense of co-operation. Mr. Wordsworth suggested that the department only advanced money to the agriculturists for financing their crops, but

I can assure him that in the mufassal there is now a genuine demand also to extend co-operative activities in the true sense of the term. Therefore, I submit that the sooner the Government come forward to help these central banks to extricate them from their difficulties, the better for the country. Sometimes it is said that the Proja movement has set back the co-operative movement, but I say that it is not always true. Had it been so, then the co-operative movement would have disappeared long ago, because the Hon'ble the Chief Minister, Mr. A. K. Fazlul Huq, (The Hon'ble Mr. A. K. FAZLUL HUQ: It is not true.) was connected both with the co-operative movement as well as with the Proja movement. He did not find any difficulty in conducting both. Therefore, I submit that these allegations are not true. So the only thing that I can urge upon the Government is to come forward as soon as possible to help these co-operative central banks so as to enable them to extend their activities in different directions, and I also suggest that the expected amendment of the Co-operative Societies Act should be taken up very seriously and as soon as possible. Sir, I do not like to take any more time of the House as it is already short.

Finally, I appeal to the department to take the matter in hand as soon as practicable and possible in the next session and that very seriously.

Maulvi MD. MOZAMMEL HUQ: মাননীয় সভাম্খ্য মহোদয়, আজ সমবায় বিভাগের মন্ত্রী মহোদয় উক্ত বিভাগের খরচের জন্য ১৫ লক্ষ ২৫ হাজার টাকার দাবি আমাদের নিকট পেশ করিয়াছেন। আমি সেই সম্পর্কে দুই চারিটা কথা বলিতে চাই। সমবায় জিনিষটা জগতে আসিয়াছে লোকের উপকারের জন্য। এবং যাহারা এই সমবায়কে ঠিকমত গ্রহণ করিতে পারিয়াছে, তাহারাই সামান্য অবস্থা হইতে উন্নত অবস্থায় উপনীত হইতে পারিয়াছে। কিন্তু, আমাদের দুর্ভাগ্যবশতঃ বাংলাদেশে সমবায় জনকল্যাণরূপে না আসিয়া অভিসম্পাৎরূপেই আসিয়াছে। এবং সেইজন্যই আজ আমরা দেখিতেছি যে সমবায় দ্বারা এখানে লোকের কোনই উপকার হইতেছে না। যে জিনিষটা জগতের সর্বত্র ভাল ফল প্রসব করে, সে জিনিষটার ফল আমাদের দেশে খারাপ হয় কেন? তাহার একমাত্র কারণ এই যে যাহাদের হস্তে এই জিনিষটার পরিচালনভার অর্পন করা হইয়াছিল,—অবশ্য আমি বর্ত্তমান মন্ত্রীমণ্ডলের উপর কোন মন্তব্য করিতেছি না, সুতরাং আপনারা বিচলিত হবেন না (A MEMBER OF THE KRISHAK PRAJA GROUP : সেরূপ মন্তব্যে যে আপনার নিজেরই বিচলিত হোতে হবে!) তাদের পরিকল্পনা ও যোগ্যতার অভাবে জাতির পক্ষে এত বড় এই যে একটা মঙ্গলকর জিনিষ, এটা অভিসম্পাতে পরিণত হইয়াছে বলিয়া আমি বিশ্বাস করি।

আমরা সমবায়ের ইতিহাস পর্য্যালোচনা করিয়া দেখিতে পাই যে জগতের নানা দেশ সমবায় প্রণালীতে যৌথ কারবার করিয়া দুনিয়া থেকে টাকা লুটিয়া নিয়া তাহারা কত বড় বড় ধনকুবের জাতি হইয়াছে। আমাদের বাংলাদেশেও সেই প্রণালীতে সমবায় প্রথা অনুষ্ঠিত হওয়ার দরকার ছিল, কিন্তু আমি এখানে বলিব—কর্তৃপক্ষের পরিচালনা, পরিকল্পনা ও যোগ্যতার অভাবে বাংলাদেশের সমবায় সমিতিগুলি credit society বা ঋণদান সমিতিতে পরিণত হইয়াছে। বাংলাদেশে এত লোন কোম্পানি থাকিতে credit society র কি দরকার? এ দেশে লোন কোম্পানি ও ব্যাঙ্ক যথেষ্ট ছিল। খালি কি creditএর জন্যই সমবায় বাংলাদেশে প্রতিষ্ঠিত হইয়াছিল? আমি তো মনে করি তাহা নহে। দেশের লোকের কোন উপকার হয় না, তথাপি আমি দেখিতেছি, হু, হু, করিয়া দেশে এই সব co-operative credit society হইয়া যাইতেছে। দেশের সর্বত্রই কেবল

জোন কোম্পানি আর credit society. সর্বত্রই ধ্বনিত হইতেছে কেবল credit, credit, credit. এটাকে যেমন ভাবে গড়িয়া দিলে দেশের মহামঙ্গলে পরিণত হইতে পারে, আজ পর্যন্ত তাহার কিছুই দেখিতেছি না। আমার বিশ্বাস আছে বর্তমান মন্ত্রীমণ্ডলী যাদের আমাদের বিপক্ষ বন্ধুগণ সর্বদা গালি দিয়া থাকেন (Maulvi ABDUL WAHED : গালি দিই না, সমালোচনা করি।) তাঁরা যদি ইচ্ছা করেন, তবে বাংলাদেশকে এ অভিসম্পাৎ থেকে উদ্ধার করিয়া জাতিকে মুক্তির পথে লইয়া যাইতে পারেন। (Mr. ABU HOSSAIN SARKER : সেই ইচ্ছাটাই ওদের হবে না।) দেখুন, আপনারা গোলমাল কোরবেন না আমি বলার পর আপনারা বোলবেন নৈলে——(Maulvi ABDUL WAHED : আসল কথা বোলতে গেলেই——)

Mr. SPEAKER: মৌলভী সাহেব আপনিও এখন যদি আরম্ভ করেন তাহলে আমার আর উপায় থাকবে না।

Maulvi ABDUL WAHED: সভাপতি সাহেব, তাহলে আমাকেও এরপর বোলবার জন্য সময় দিতে হবে।

Maulvi MD. MOZAMMEL HUQ: আপনারা জানেন এর আগে থেকেই সমবায়, যৌথ credit society বাংলাদেশে বহু হইয়াছিল কিন্তু তাদের সুদের মাত্রা অত্যধিক। অনেক স্থলেই সুদের মাত্রা আসলকে ছাড়াইয়া গিয়াছে। আমরা যেটুকু জানি, তাহাতে এ কথা নিশ্চয় করিয়া বলিতে পারি যে বহু লোক আসলের ডবল দিয়াও credit society র হাত থেকে রেহাই পায় নাই। তাহাদের ঘাড়ে ঋণের অসম্ভব চাপ রহিয়াই গিয়াছে। এই সব অবিচারের প্রতি আমাদের মাননীয় সমবায় মন্ত্রীমহোদয়ের দৃষ্টি আকর্ষণ করিতেছি। আমি মাননীয় প্রধান মন্ত্রীমহোদয়ের দৃষ্টিও এ দিকে আকর্ষণ করিতে চাই। প্রজাগণ সমবায় সমিতিগুলির অত্যধিক ঋণের চাপে নিষ্পেষিত হইয়া যাইতেছে। পুরানা সুদগুলি সমুদয় মাপ করিয়া দিয়া দেশকে রক্ষা করার চেষ্টা ও ব্যবস্থা করুন। (Laughter from the Opposition Benches) ইহা হাসিবার জিনিষ নয়, কাঁদিবার জিনিষ। আমরা প্রজাদের সর্ববিধ মঙ্গল করার জন্যই এখানে এই এসেমব্লীতে আসিয়াছি। তাহারা সুদ ডবলেরও বেশী দিয়াছে। সুতরাং তাহাদিগকে সমবায় সমিতিগুলির ঋণের দায় হোতে মুক্তি দেওয়া হোক। ইহাই আপনাদের কাছে নিবেদন। সমবায় বিভাগের Rules and Regulations বা আইন-কানুন ও নিয়মাবলীগুলির পরিবর্তন করিয়া প্রজাদিগকে রেহাই দান করুন—মুক্ত করুন, আপনারা যদি প্রকৃতই প্রজার মঙ্গল চাহেন।

(Here the member having reached his time-limit, resumed his seat.)

Mr. BIRENDRA KISHORE RAY CHOUDHURY: Sir, I rise to move that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100.

Sir, without anticipating the discussion which may take place on the demand for grant under Debt Conciliation, I may refer to the fact that because of the working of the Debt Conciliation Boards, the old credit organisation has completely broken down in our rural areas. The necessity of establishing a network of co-operative societies to supply cheap credit to the people in the countryside has been felt and appreciated for nearly half a century. As long ago as 1904, the first Act was passed by the Indian Legislature to this end. But, as a result of the working of this and the subsequent measure passed eight years

later, only a very small percentage of the people could be netted in by the co-operative organisation. The Royal Commission on Agriculture reported in 1928 that out of the total population of nearly 4½ crores (43,509,000) only about 3 lakhs and a quarter (329,765) were enjoying the benefit of cheap co-operative credit. The situation did not improve in subsequent years. On the contrary, because of the economic depression, the co-operative credit became absolutely frozen and its organisation came virtually to a standstill. In the face of a situation like this, the Debt Conciliation Act of 1936 was put into operation. As a result of that many of the debtor cultivators were no doubt exonerated from paying their dues to the *mahajans*, but they were also at the same time confronted with the pitiable situation of not receiving any credit when such credit became urgent for their agricultural operations.

In other words, Sir, while the old system of rural credit, however undesirable it was in certain aspects, was done away with by the operation of Debt Settlement Boards, no substitute for it has so far been organised.

It has been said, Sir, that the rural population has so adjusted itself to the present situation in which no credit is available, that it is not urgent at all that anything should be speedily done for the supply of credit to the cultivators. But, Sir, I have really no patience with arguments such as these. I have no doubt about it that the village people require urgently a machinery through which they can secure cheap credit for their day-to-day work. It is necessary to this end that the Minister of Co-operation should not merely hold up his hands and allow situation to remain as it is. The department must put its shoulders to the wheel and extend the working of the co-operative societies as widely as possible.

Not long ago, Sir, I heard that a large amount of money would be found by the Government for the purpose of financing the existing societies which are in a moribund condition to-day, and for starting new societies in our countryside. But, Sir, I do not find any such provision in the budget. I shall be glad to know if the Government has abandoned the proposal or wants to proceed with it in the near future.

(At this stage the House was adjourned for 20 minutes.)

Maulvi ABDUL WAHED: Mr. Speaker, Sir, কোঅপারেটিভ সম্বন্ধে আমাদের যথেষ্ট বলার আছে। বিষয়টা অত্যন্ত দরকারী সেই জন্য আমি কিছু সময় চাইছি।

Mr. SPEAKER: I am afraid there is not much time left. We have to finish the Debt Conciliation Demand also. Therefore, let us close this debate now.

Mr. SIBNATH BANERJEE: The subject is very important, Sir, and I request you to give us some time more.

Mr. SPEAKER: I shall be very glad to give it, but then the House must be prepared almost to guillotine the Debt Conciliation Demand. I agree however to close the debate at 7-15 p.m.

Maulvi ABDUL WAHED: মাননীয় সভাপতি সাহেব, আমি এই সমবায় নীতি এবং উদ্দেশ্য সম্বন্ধে দুই একটা কথা বোলতে চাই। প্রথমত আমি বোলতে চাই, আমার বন্ধু মোজাম্মেল হক সাহেব আমাদের এই সরকার বিরোধী দলের প্রতি একটা অভিযোগ কোরেছেন যে আমরা অনর্থক মন্ত্রীমণ্ডলীকে গালি-গালাজ কোরে থাকি, এ কথাটা মোটেই সত্য নহে। তিনি হচ্ছেন মন্ত্রীমণ্ডলীর অন্ধ-ভক্ত ধামা ধরা—জয় ঢাক। তিনি যে অভিযোগ কোরেছেন সে অভিযোগের ভিতর দেখা গেছে তিনি এক চোখে বাংলার কৃষক-প্রজার জন্য কাঁদেন অপর চোখে মন্ত্রীমণ্ডলীর জন্য কাঁদেন। তাঁর বর্ত্তমান অবস্থাটা দাঁড়িয়েছে—দুই নৌকায় দুই পা দেওয়ার মতন। তিনি দাবি কোরেছেন যে কো-অপারেটিভের খাতকদের পুরানা সুদ সমস্ত মাপ দেওয়া হোক। কিন্তু আমি জোর গলায় বোলছি তাঁর এই দাবির উপর যদি এখন পরিষদে ভোটের দাবি করা হয় তাহলে তিনিই তাঁর কথার বিরুদ্ধে ভোট দিবেন এবং বার বার তাই দিয়েও এসেছেন, যাঁর কথায় আর কাজে মিল নাই তাঁর কথারও কোন মূল্য নাই। সুতরাং তাঁর অবস্থাটা হোচ্ছে দুদিক রক্ষা কোরতে যেয়ে কোন দিকই রক্ষা কোরতে না পারার মতন। তাই তাঁর দশা দেখে বোলতে ইচ্ছা হয়—

"দো' দিল্ বান্দা, কাল্মা চোর,
না পায় শ্মশান, না পায় গোর"।

মাননীয় সভাপতি সাহেব, আমাদের পল্লীর অর্থে সমবায় নীতি আমাদের দেশে যখন প্রথম আমদানি করা হোলো তখন তার উদ্দেশ্য ছিলো, সুদখোর মহাজনদের হাত থেকে বাংলার কৃষক জনসাধারণকে রক্ষা করা। এই নীতি নিয়ে যখন এসেছিলো, তখন বাংলার কোটি কোটি দরিদ্র কৃষক-প্রজা ও জনসাধারণের সাম্নে এই সমবায় নীতি মায়ের রূপ ধারণ কোরে উপস্থিত হোয়েছিলো বোলে তারা সবাই এই কো-অপারেটিভের উপর ঝাঁপিয়ে পোড়েছিলো। এবং যত দিন বাংলার কৃষক-প্রজার, পাটের দর হবার দরুণ, আর্থিক অবস্থা ভালো ছিলো, যখন তারা কড়ায় গণ্ডায় সুদের টাকা গুণে দিয়ে আসতে পেরেছিলো, তত দিন পর্য্যন্ত কো-অপারেটিভ বা সমবায় তাদের সাম্নে মায়ের রূপই ধারন কোরেছিল। তারপর যখন হঠাৎ পাটের দর নেমে ২॥৹ টাকা ৩৲ টাকায় দাঁড়ালো এবং কৃষকদের সুদের টাকা দেবার ক্ষমতা রহিত হোয়ে গেল, তখন এই কো-অপারেটিভ, এই সমবায় মায়ের মূর্ত্তি ত্যাগ কোরে রাক্ষসীর মূর্ত্তি ধারন কোরে কাবুলি নীতিতে টাকা আদায়ের ব্যবস্থা আরম্ভ কোরে দিলো। সমবায় এসেছিল জনসাধারণকে সুদ রাক্ষসীর কবল থেকে রক্ষা করার জন্য, কাবুলিগিরি করতে আসে নাই।

সভাপতি সাহেব, এই কো-অপারেটিভের উদ্দেশ্য হওয়া উচিত ছিলো, সেন্ট্রাল ব্যাঙ্ক থেকে পল্লী সমিতি কম সুদে টাকা কর্জ্জ নিবেন এবং পল্লী সমিতির কাছ থেকে জনসাধারণ কিছু বেশী সুদে সেই টাকা নিয়ে টাকাটা পরিশোধ কোরবে, আবার সেন্ট্রাল ব্যাঙ্কের কম সুদের টাকাটা শোধ দেবার পর মাঝখানে যে লাভটা থাকবে সেটা গ্রাম্য সমিতির তহবিলে জমা থাকবে। এইরূপে কিছুদিন পরে পল্লী সমিতিগুলি স্বাবলম্বী হোয়ে নিজের পায়ে দাঁড়াতে পারবে, এবং তাদের সঞ্চিত টাকা অতি অল্প সুদে আদান প্রদান কোরে দেশের দরিদ্র জনসাধারণ বেঁচে থাকতে পারবে। কিন্তু সমবায় নীতি পরিচালনার দোষে হাতে টাকা জমা থাকা দূরের কথা তারা ঋণের উপর ঋণ কোরেও বেঁচে থাকতে পারছে না।

আজকে আবার নূতনভাবে কো-অপারেটিভের যে নীতি পরিচালন করবার ব্যবস্থা হোচ্ছে, তাতেও আবার একটা সন্দেহ এসেছে। আজকে শালিশী বোর্ড আইন হওয়ার দরুণ এবং মহাজনী আইন পাশ হওয়ার দরুণ গ্রামে যা কিছু ধার কর্জ্জ পাওয়া যেতো তা সম্পূর্ণ বন্ধ হোয়ে গেছে।

পল্লীর ছার সম্পূর্ণরূপে সমবায় বিভাগের উপর এসে পোড়েছে। এর দ্বারা মনে হয় কো-[illegible] যা প্রকৃত উদ্দেশ্য হওয়া উচিত তা হবে কি না সন্দেহ। আমার মনে হয় ধনিক বণিক দেশে যারা আছে, ব্যক্তিগত দাদন সম্পূর্ণ বন্ধ হওয়ায়——

(The member having reached the time-limit resumed his seat.)

Mr. SIBNATH BANERJEE: Sir, I beg to move that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100.

Sir, I must confess that I have a softness for this Department not for the sake of the Hon'ble Minister who when demanding the amount delivered a speech which showed that at least he is satisfied with things as they are, and also not for the sake of the Registrar who is the greatest dictator conceivable among the officials of Bengal at least, but my softness is in spite of them. Sir, this softness is because the Co-operative Movement represents one ideal and that ideal is a grand one—it visualises a society in which there will be no exploitation by the capitalists, where the consumers and the producers will freely join together for mutual benefit. But unfortunately that ideal and the idealism to carry that ideal into fruition is absolutely absent here. When Mr. Wordsworth was speaking, he, perhaps unconsciously condemned the Department. The greatest condemnation that one can shower came from Mr. Wordsworth because whenever he mentioned about Co-operative Movement, he referred to co-operative credit. So he gave the true picture of the Co-operative Movement in Bengal. At least 95 per cent. of the activities of the Co-operative Movement is restricted to co-operative credit. Even a man of the renown and erudition of Mr. Wordsworth, when describing the movement, referred to it as co-operative credit. Therefore, I am asking for a Committee of Enquiry to remove this state of things. If it continues to be a credit institution, no amount of effort or jugglery of words or figures will alter the fact that Co-operative Movement will be condemned to the present sterile condition. Only when attention is given to other aspects of the movement that the Co-operative Movement can come to its own. But we are absolutely disappointed. Only to-day in reply to a question of Mr. Patiram Roy, the Hon'ble Minister categorically said that he would not consider the desirability of launching a movement of Co-operative Marketing of Jute at this period of jute trade. These Co-operative Jute Sale Societies were started long ago and now we have been considering how to give the best price to the cultivators and in that connection the question of Co-operative Credit Societies has been cropping up every now and then. But to-day we have been told that the Hon'ble Minister would not do anything in that direction. That being the situation, naturally we are to conclude that the future of the Co-operative Movement cannot be bright here. The Hon'ble Minister may get Rs. 4 crores or Rs. 3 crores or whether the Hon'ble the Finance Minister or the Hon'ble the Chief Minister may condescend

to grant him, but all the time, he will be dealing with credit and not with the producing or marketing side or with any other side where the Co-operative Movement can really be called co-operative and where it may be of assistance to the people. I have no time, so I shall mention certain points about the movement. Much has been said by Mr. Wordsworth about the Co-operative Department. I do not know whether he is a member of the Mutual Admiration Society. He has showered praises on the Hon'ble Minister and also on the Registrar who is sitting over there——

Mr. SPEAKER: I am sorry, Mr. Banerjee, I have to remind the House once again that it is most unparliamentary to make any reference to any person sitting in the gallery.

Mr. SIBNATH BANERJEE: Alright, Sir, I will not refer to the Registrar. Mr. Wordsworth was showering praises on the Hon'ble Minister and it seemed as if they were members of a Mutual Admiration Society sitting together. After 30 years' experience of the Co-operative Movement in Bengal, it has been proposed in the Bill itself to give more powers to the Registrar whoever he may be and even the members of the Coalition Party felt a little awkward about this proposal and they had to admit it by saying: "Well, it is too much to give such wide powers to the Registrar; but if the man is chosen properly perhaps from the Coalition Party, then it is alright." (Laughter.)

Even the members of the Coalition Party could not swallow so much power to be given to the Registrar and the Bill from the very beginning to the end only speaks about the powers of the Registrar and about the powers of this and that, and does not go in the direction in which it should go for real co-operation.

Then as regards Co-operative Alliance, I would only refer to the way in which it has recently been officialized. I have no time just now to deal with it, but suffice it to say that the village society members who do not know a word of English, letters have been sent to them, not in Bengali but in English and they have been asked to send either members for electoral colleges or things like the very complicated procedure of election to that alliance.

Then I would like to take up the question of the liquidation of societies. In reply to a recent question the Hon'ble Minister said that about 1,000 societies are in the process of liquidation. I know of one society which is in the process of liquidation for the last four years. Of course for three years the Minister is responsible, and for the previous year to that period he is not responsible. But the fact remains that the Howrah Central Co-operative Bank is in the process of liquidation for four years, and if the public loses confidence in the movement and, in the Department, the Minister should not blame the public, but should try and lay the blame in some other quarters. That is not the only instance. That is a typical example.

I should like to mention one type of society in which I was personally interested—a Bus Consumers' Society for transport service and for one year we have been trying to get it registered and from pillar to post we were driven, and before we could get it registered more than one year had passed, and in the meantime the purpose for which it was sought, that is, to get a license for buses for the Howrah-Kadamtolla route was frustrated, because the Martin's Railway has recently been abolished and licenses have been given to others. So, that advantage has gone and we could not get the registration before other private individuals could get the license. I must frankly say that this was in spite of the Minister and the Registrar. Because they were sympathetic and they tried their best, but the Department was too difficult for them to tackle. They themselves said that they wanted to get it registered soon, but they could not. That is the position.

Then I would like to mention another instance. There were previously five Assistant Registrars. The number has been raised to 17, and in reply to a question it was said that this has been done for convenience of work. An Assistant Registrar's office has been opened at Chinsura for Howrah, Hooghly and Bankura districts which is inconvenient for the people of Howrah, for the people of Bankura and for the people of Arambag subdivision of Hooghly district. Only for the convenience of one subdivision, the Assistant Registrar's office has been located at Chinsura. In reply to a question when I referred to the inconvenience of nearly 1,000 societies, the Minister without caring to consider what I was saying said that it was not inconvenient. This is how the administration is being run. So, I press my cut motion for the acceptance of the House.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I listened with sustained patience to the long indictment of the Co-operative Department by my friend Dr. Nalinaksha Sanyal. But I must tell my friend that a mere charge is not proof, and my own experience at the Bar for over 36 years has taught me that the longer the charge-sheet the weaker turns out to be the case for the prosecution.

But, so far as the Co-operative Credit Movement is concerned, various arguments have been advanced for its failure as a movement on co-operative lines. There is one factor which is not taken into consideration, because the circumstances relating to it are practically unknown. If I may be permitted to strike a personal note, I may tell the House, as I have told this House several times before, that I was personally connected with the movement in an official capacity for four long years from the year 1908 to 1912, when I was the Assistant Registrar of Co-operative Societies and in charge of the working of the Co-operative Societies in Eastern Bengal and Assam. Sir, I know the circumstances in which the movement was started in Bengal, the obstacles and impediments that we had to face and the various troubles

through which we had to pass during the infancy of the movement in this province. I do not wish to raise any communal issue. I will state facts frankly because my friend Dr. Nalinaksha Sanyal has been very frank in his discussion and, I may also say, very fair also in his presentation of the case. Sir, we found when we started the movement that there were several factors which operated against the success of the movement. There was the opposition by the zamindars, there was the opposition by the money-lenders which immediately took a communal turn, because the money-lenders were generally all Hindus and the borrowers were all Muslims. Then that was the time of the anti-partition agitation and anything done by Government was held up to public scorn and ridicule by almost every section of the people.

Now, Sir, it is not correct to say that the Proja movement with which I am connected is responsible for the no-rent mentality. That movement may be prevalent in some parts of the province but there are Proja movements and Proja movements just as there are Proja workers and Proja workers. Not every worker who clothes himself in *khaddar* and is a disciple of Congress is a sincere Proja worker. Many of those who call themselves League workers and who sit on this side of the House are far more sincere in Proja work than those who sit on the other side. Sir, the Proja movement which has been responsible for this no-rent mentality is the so-called Kisan or Krishak movement with which Congress is associated and it is that kind of Proja movement with which we are confronted that has brought the movement into disrepute. But this is by the way. When the Co-operative movement took firm root defects were noticed and that was the reason why the Act of 1912 was passed. But then, Sir, the hostility of certain classes still remained, and it is correct that the villagers were told not to pay up dues in order to embarrass the officers of the Co-operative Movement; and in one or two districts at any rate, especially in the District of Mymensingh the reason why there has been such an accumulation of arrears both in capital and in interest in the hands of the borrowers has been due to the persistent dinning of certain classes of people not to pay and, as every one knows, an advice not to pay is more readily followed than any other advice to the contrary.

Now, Sir, when the arrears accumulated and mounted up, there was a time when the movement was on the point of breaking down, and I think that instead of criticising the department for the work it has not done, it is time that fair-minded persons should also take note of what has been done under somewhat difficult circumstances. These circumstances were not of the seeking of the department itself. They were due to causes over which we had no control. But I admit that at the present moment, the whole movement is under a cloud and there are suspicions that all is not well with the Co-operative Movement in Bengal. But I can tell the House that during the three years since we have undertaken administration, things have improved considerably. As a matter

of fact I have had enquiries made in certain cases, but the Minister in charge took up the task of amending the Co-operative Act in order to take certain powers which are not possessed by the Registrar under the present Act in order that if and when defects are noticed and action has to be taken, effective action can be taken in order to bring about satisfactory result. That is the reason why nothing definite has been done, but I can tell the House that the Bill which has been placed before the House and over which so many members have worked laboriously for so many months, will be an Act which will place in the hands of the Registrar of the Department certain powers which together with co-operation from friends outside will enable us to put the co-operative movement on a sound and satisfactory footing.

Now, Sir, the Co-operative Movement should be entirely a people's movement. Government should have as little to do with the movement as possible. That was the policy of the Government when I was in the Co-operative Movement in its earlier years in Bengal. But it was found that unless societies were inspected by Government officers, unless societies were supervised by Government officers, unless Government showed that they were taking some living interest in the prosperity of the societies, people could not be induced to deposit their money or to help the societies with funds. Therefore, in course of time the movement became officialised, and I regret that at the present moment it is over-officialised. But the fault is not entirely of the Government officers. So long as non-officials do not come forward to help the movement, and to treat the movement as a popular movement, it will be the duty of the Government to do the part which should really be done by the people themselves. There are limitations to what a Government officer can do. Whatever a Government officer does is painted at the present moment as something like party politics. But a non-official has got freedom to act; he has got the liberty to give advice where advice will not be misunderstood. The future of the Co-operative Movement lies not in sustained and often unmerited criticism but in inducing people to come forward to co-operate with the officers of the Government and in placing the Co-operative Movement on a firm and sound footing. I welcome the suggestions that have been made by Dr. Nalinaksha Sanyal. I find that in the midst of his criticisms there are good suggestions also. We shall try to ignore the unpleasant portion which relate to criticisms. We shall take up the suggestions that he has made, and I hope that in a very short time we will be able to do something for the improvement of the rural credit.

My friend Dr. Sanyal has given some glimpse of how the Co-operative Movement in Bengal should be carried on from a little book that he has got in his hand. I can assure him that these proposals will be considered, if he will only come up with helpful suggestions without criticising the proposals before final action is taken.

As regard Quoreshi's book, I have read it very carefully. As a matter of fact, the author was good enough to present me with a copy. The lines suggested by Mr. Quoreshi depend more or less on the circumstances under which those proposals are acted upon, just as a tree derives its growth more from the soil than from anything else. Let the soil be congenial to its growth. Let the impediments be brushed aside; let every one come forward to tender the plant with sympathetic hands, and I am sure that like every other popular movement everywhere in the country where the people are behind the movement with a view to help and not to obstruct, the Co-operative Movement will come back to its own position as one of the most beneficent movements that are known to humanity.

As regards the details, my friend the Hon'ble Minister in charge will make some comments. I do not wish to take up the time of the House with making promises which possibly I shall not be able to fulfil (laughter).

The Hon'ble Mr. MUNKUNDA BEHARY MULLICK: Mr. Speaker, Sir, after what our leader, the Hon'ble the Chief Minister, has said in regard to the criticisms that have been levelled against the Co-operative Department, there is very little for me to speak on the subject. Even then I feel that I must repudiate some of the allegations that have been made by some of my honourable friends with respect to the Department of Co-operation.

Sir, I am extremely sorry that my honourable friend Dr. Nalinaksha Sanyal should have come forward with a list of things which practically he took from Mr. Narendra Kumar Basu's statement when he suggested in the late Bengal Legislative Council that a Committee of Enquiry should be held to examine the activities of the Department and with a view to offer suggestions for remedying the defects.

Sir, in the course of his speech he mentioned some matters, which, I submit with all respect to the House, are not well-founded. Whatever may be said of any policy or want of it in the Department, three years of administration, an account of which has got to be given to the House, shows clearly whether or not the Department has been able to make out a policy of its own for the purpose of bettering the conditions that have been in existence in the past. Two years ago, Sir, I mentioned to the House that the policy of the Department has been one of consolidation on the one hand and of expansion on sound lines on the other, in order that co-operative spirit might be introduced in the minds of our people with the object of removing their household defects and for the purpose of increasing their resources when they have been able to work on sound co-operative lines. And it is in pursuance of that policy that was indicated in the House a couple of years ago that I had

occasion to submit the various steps that have been taken by the Department. For, I must confess, Sir, that all that we have been able to do may not appeal to my honourable friend or may not come up to his fullest expectation, but as has been pointed out by my leader, the Hon'ble the Chief Minister, if the circumstances under which we have been working were taken note of, I submit, Sir, that this criticism would never have been offered. Even then, Sir, as our leader has said, some of the suggestions bereft of all causticness will certainly be taken note of. Then, Sir, he has the hardihood to say that some of the officers have been negligent in the discharge of their duties. He went further and said that eight inspectors were moving near about Calcutta. (Dr. NALINAKSHA SANYAL: I would request you to see the judgment of the Court.) The appeals in those cases have not yet been disposed of. Dr. Sanyal said that the Government of India grant with which we have established a training institute at Dum Dum has not been spent properly. I repudiate the allegations and I go further and say that if he can cite a single case, I can assure him that proper action will be taken against that officer. I had occasion to visit the training institute since it was started in April 1937 on every occasion when a new batch of officers came there, and it was only the other day when I had the honour of inviting the Hon'ble the Chief Minister to pay a visit to the institute. I need not say to the House all the details about it, but I believe that when the Hon'ble the Chief Minister left the institute, he came away satisfied that everything that was necessary to educate the officers and also members of the societies in the lines of co-operation was being done in that institute. (Rai HARENDRA NATH CHAUDHURI: Mutual Admiration Society!) The institute was started in 1937 with the Government of India grant, and the first officer who was placed in charge of it was an ex-Registrar of the department, Rai S. K. Ganguly Bahadur. The officers whom he took as his assistants had all their training in the Gurudaspur Training Camp, Punjab. And, further an account of the training given at this institute has got to be given to the Government of India at the annual conference. I submit, therefore, that my friend Dr. Sanyal is not well posted with the facts when he came forward with his catalogue. He said something about a question—that is how he started in regard to the question that was originally put in this House, by the late Chairman of the Bogra Central Bank with respect to the conduct of one of my officers in charge of that bank. I hope, Sir, you will pardon me if I say that you were good enough to point out to me that in all fairness to that officer, the result of the enquiry should have been mentioned in the answer. But I pointed out that I expected a supplementary question about it, when I would have been able to explain details as I was fully equipped with the necessary information. The enquiry was held by an officer who was no less than the Assistant Registrar in charge of the two districts of Bogra and Pabna, and the allegation which was made against the conduct of one

of the officers of my department was found to be absolutely incorrect. I waited for an opportunity to give some information in answer to any supplementary question that might be asked by Dr. Sanyal but not a single question was asked by any member nor had he the goodness to ask any supplementary question on that subject. I may submit, Sir, that the allegation was found to be conclusively baseless. (Dr. NALINAKSHA SANYAL: But this has been admitted in your answer that that officer exceeded his power and instructions and gave loans in excess.) No, no, I never said so. Then, Sir, as regards the other questions of which he gave a catalogue I do not think that time will permit me to go into details—

Mr. SPEAKER: As a matter of fact, I thought that as a matter of parliamentary convention, it should be established that whenever there is a question enunciated which enumerates points against an officer of Government and enquiries are made, it is only fair to the officer that the result of the enquiry should be made known to all concerned, but owing to the absence of a supplementary question on that subject what the result of the enquiry was does not appear anywhere.

Dr. NALINAKSHA SANYAL: May I draw your attention, Sir, to the answer? It is: "that the Inspector distributed individual loans in excess of amount approved by the Provincial Bank in some special cases subject to subsequent sanction of the bank, etc."

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I do not yield to Dr. Sanyal. (Dr. NALINAKSHA SANYAL: In view of the above answer how can the Hon'ble Minister say that the allegation is unfounded?)

Mr. SPEAKER: I think Dr. Sanyal, you are mistaken. If you look to the answer you will find that it was a resolution of the Bogra Central Bank and the Bogra Central Bank gives a list of allegations which are on the face of it very damning to the officer concerned. Government merely said that a departmental enquiry was held, and as there was no supplementary, I thought that it would not be fair to the officer who serves this province if merely allegations are made and merely an answer is given that a departmental enquiry was held. Anyway his point is that Government made a departmental enquiry——

Dr. NALINAKSHA SANYAL: Sir, will you kindly read the answer? It is: "a departmental enquiry in the matter has been made and the Inspector distributed individual loans in excess of the amount approved by the provincial bank, etc." This conclusively shows that the officer went beyond his powers.

Mr. SPEAKER: That is quite different. You may go on Mr. Mullick.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Now, Sir, as regards dereliction of duty by any officer of my department I might tell Dr. Sanyal and the honourable members of this House that since I have assumed office no less than 11 officers of my department were found at fault: some of them have been punished and some have been discharged and again some have been warned and others have been degraded. It cannot, therefore, be said, Sir, that whenever an individual case of dereliction of duty has been brought to my notice no suitable action was taken. So I submit, Sir, that the points taken by Dr. Sanyal in suggesting that a committee should be appointed do not stand any reasonable criticism. Again, Sir, my honourable friend Mr. Sibnath Banerjee has come forward with some of his suggestions, and he mentioned some individual cases, but I am extremely sorry that I have not the time, otherwise I could have conclusively shown that he was under a wrong impression. I thank him, however, for the few good words that he spoke about myself and the Registrar of my department but I must tell him that whatever else he has said does not stand any reasonable scrutiny. He has referred to one question which I have answered this afternoon, put to me by Mr. Patiram Roy, in which I have said that I do not think it proper to go forward with any scheme of jute sale society at the present moment. Sir, the reason is obvious. When the societies were originally started in 1927-28 they did not act in the way they should have done and therefore a committee of enquiry was appointed by the Provincial Bank because it had financed the societies and on their report the only course of action that could have been taken was to dissolve the societies. I hope the honourable members of this House know very well that the commitments of Government are too great already to enable them to meet the charges of the Provincial Bank on that account, and as there is no certainty about the price of jute as fixed this year for years to come, I do not think it desirable to go forward with that scheme all at once. I have already mentioned in my speech that a number of societies of numerous descriptions have been established to bring more income to the produce-growers, namely, paddy sale societies, orange-growers societies and the fisheries societies and other societies of that nature so that along with this expansion on production basis, attempts have been made to find a market for them in order that the producers may get a proper price for their products.

Mr. SIBNATH BANERJEE: Why jute has been excluded? Is it because it is in the interest of the Europeans?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I am not going to give a reply to all these interjections. Sir, I am indeed grateful to Mr. Wordsworth, from whom I learned the elementary lessons in economics when I was a B.A. student in the Presidency College, for the affectionate words—I won't say kind words—that he has used about my work for this department. He was good enough to be a member of the select committee on my Co-operative Societies Bill which sat for no less than 41 days to consider its provisions in detail along with two of my friends in the Opposition—I refer to Mr. Satyapriya Banerjee and Mr. Surendra Nath Moitra, especially the latter who has been connected with the Co-operative Movement for years now as a Director of the Rajshahi Central Bank, and not a theorist like Dr. Nalinaksha Sanyal. They know very well the amount of work which these honourable members rendered as members of the select committee.

Dr. NALINAKSHA SANYAL: Sir, since a personal reference has been made to me, may I inform the Hon'ble Minister——

Mr. SPEAKER: If I allow you to make a personal explanation I shall have to allow it every second to the other side.

Dr. NALINAKSHA SANYAL: But, Sir, I may say this to the Hon'ble Minister that I am a more practical man than he is himself.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I am thankful also to Khan Sahib Hamiduddin Ahmed for giving me a practical suggestion as to what should be done to find credit facilities for the rural masses in the province. I have explained what we desire to do in this matter and I would merely point out that the Hon'ble the Finance Minister in his opening speech in presenting the budget for the coming year said that if there were proper application for demands of that nature examined by the central banks and the departmental officers and by the Provincial Bank, Government would see that this credit was made available to the rural masses in the province. Beyond this, Sir, I do not think any further assurance is needed on this occasion. So far as my friend Mr. Abu Hossain Sarkar is concerned, I would only appeal to his experience as a Director of the Gaibandha Central Bank and then let him tell Government what steps should be taken to better the condition of these institutions. Sir, we have assisted the central banks in more ways than one. We have not only given them advice, but have lent the services of our departmental officers to manage their affairs, who are not only to advise them but to guide their activities on proper lines.

Dr. NALINAKSHA SANYAL: I am not paid for giving advice but the Hon'ble Minister is paid.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, the officers and supervisors of the central banks have been trained in the institute and there are various ways in which Government have tried to assist them. Last but not the least I may say that actually an amount of Rs. 13½ lakhs was given to the central banks through the Provincial Bank for the supply of credit facilities to the rural members of the societies. I submit, therefore, that it may be taken for granted that we are not unmindful of the difficulties of the central banks, as has been explained by the Hon'ble the Chief Minister. Their difficulties are many but I must submit that all these difficulties cannot be removed all at once. With respect to my friend Mr. Birendra Kishore Roy Chaudhury I have already stated the step we desire to take to provide credit facilities in rural Bengal. The causes that he has mentioned are not really the only causes for rural credit being shrunk. It is not the operation of the Debtors' Act alone that is responsible but the causes are many. I submit, Sir, that beyond what we have done it is very difficult for Government to go further with any scheme of that nature.

As regards my friend Maulvi Abdul Wahed Bokainagari from Mymensingh I was really glad that he had a word of kindness for the movement; he has said that the reason for the co-operative movement being met with a set-back is the depression that came in 1930. But, Sir, at the same time he has sorrowfully added that the money that has been put into the movement is all done by the non-officials for the benefit of this rural people and that something must be done to relieve both these classes at an early date. Therefore, in my opening speech I have mentioned that the scheme that has been prepared is being examined and, perhaps, before long it may be possible for Government to come to a conclusion on that question. I think that in the days to come after a final decision is taken about the whole subject it will be possible to give relief to innumerable agriculturist debtors.

Sir, I have tried to meet all the points that have been raised by the honourable members of this House. I oppose all the cut motions that have been moved and commend my motion to the acceptance of the House.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Birendra Kishore Roy Chaudhury that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 15,25,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Mukunda Behary Mullick that a sum of Rs. 15,25,000 be granted for expenditure under the head "42—Co-operation" was then put and agreed to.

25—General Administration—Debt Conciliation.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 23,12,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation".

In presenting this demand to the House, I do not propose to take too long of the time by entering into a detailed discussion about the activities of the Debt Conciliation Boards which are functioning in the province under the Bengal Agricultural Debtors' Act, 1935. I shall not be misunderstood if I were to repeat what I said on previous occasions that, while we act under this measure, it is for the purpose of conciliating the debts that the agriculturists owe to various sorts of creditors by bringing them within their paying capacity and allowing them proper time for paying the adjusted debt by spreading it over a number of years in easy instalments and that they may have some breathing space of time to be able to work harder and with greater cheerfulness for the purpose of making their two ends meet as also of being able to pay their debts.

Complaints of various descriptions have been made against the working of these Boards. It is said that the disposal has been very slow, causing a good deal of dislocation of business even in the civil courts, that although the Act has been in operation for some time now the Boards have not been vested with the powers mentioned in the Act as a result of which they have not been able to deal with the cases properly, that although it has been said that each union or at least each big union will have one Board and two small unions will have one, the required number of Boards has not yet been established in consequence of which a good deal of inconvenience and difficulty is yet being felt by the agriculturists. On the other hand another set of complaints has been lodged that the members of these Boards have got no training in law and therefore they cannot properly decide the cases brought before them, that although section 55 (2) of the Act gave Government power to fix the maximum amount of debt that could be

dealt with by these Boards Government did not take any step in time in that direction, and that as a result of the activities of these Boards the rural credit has become almost shrunk causing very great difficulty to the agriculturists inasmuch as they do not get any pecuniary assistance from their neighbours in time.

With respect to all these allegations I can only say that Government have not been unmindful of them and the steps that we have taken will clearly indicate that all that is possible for any human institution has been done either to remove any real difficulty or at least to minimise its severity.

I would therefore put before the House at this stage some of the steps that we have already taken in these directions. When I placed my demand last year under this head on the 24th of March, I mentioned that we had established 2,791 Boards in the province by that time. We have now been able to establish 3,707 Ordinary Boards and 221 Special Boards. Besides those of the Special Boards which function either at the district or subdivisional headquarters with an official—and in most cases the Circle Officer—as the Chairman, we have got one Special Board established along with the Co-operative Central Bank and the Land Mortgage Bank in order that the members of these banks and societies may be able to get all their debts including those due to these societies conciliated at an early date. I have had occasion to examine the records of some of these Special Boards while I was out on tour and I was happy to find that the amount of work that they put in had really been satisfactory. It is not possible for me to indicate the works of these thousands of Boards separately, but I shall immediately place before the House the total amount of work that these Boards have up till now done.

In order that Government may keep a proper watch over their activities we have issued a circular to the Collectors of the Districts by which they have been requested to submit to Government half-yearly returns of the activities of these boards showing under various heads the number of applications filed by debtors and by creditors, the number disposed of, the amount of the claim stated in the original application and the amount of these claims as determined under section 18 and the amount at which settlements have ultimately been made.

These Boards have received 1,284,393 applications of which they have disposed of 531,103. The applications disposed of involved a claim of Rs. 8,52,95,766 which when determined under section 18 of the Act was brought down to Rs. 4,61,18,768 or a little over 50 per cent. of the original claim. When the final settlement was made the claim was still brought down and the award was given for Rs. 3,07,49,519 or in other words the award had been made at about 30 per cent. of the original claim. The amount that is involved in

the cases which are still pending is about Rs. 31,88, 22,840. Therefore the total amount of the claims involved in the applications received by the Boards comes up to about Rs. 40,41,18,606.

Since this conciliation has been entirely on a voluntary basis, I mainatin that the Boards have shown wonderful progress in deciding the cases brought before them.

The Act has provided for appeal almost at every stage of the proceeding in connection with a case before the Board. But the number of appeals filed has been so few that one can safely maintain that the work of the Boards has been satisfactory. I do not suggest for a moment that the work of each one of these 20,000 honorary workers has been wholly free from mistakes. When I say this I mean that the average work of most of them has undoubtedly been satisfactory. Where they have gone wrong, it was either corrected by appeals or if there were anything personal, suitable action has been taken.

It is no doubt true that the Boards did not have all the powers, but as I said last year, we had vested all the Boards with powers under section 9 (2) and 13 (2) of the Act. I indicated further that the cases of those Boards which had been working for over a year would be vested with powers under section 19 (1) (b) of the Act, unless there was anything against any such Board. Since then the Collectors were requested to look into the matter and on their recommendation we have vested about 700 Boards with powers under section 19 (1) (b). There was a complaint that although the power under section 22 was there, no Board was yet vested with it. I can tell the House that on examining the records of the Special Boards, we have vested a fair number of them with those powers. It is hoped that with these powers, and with the rules that have been promulgated along with the amendments made in the Act, the progress will be much quicker and that before long it will be possible to deal satisfactorily with the large number of cases filed or are being filed before these Boards.

I am sorry, I have not been able to follow the arguments, when it was suggested that inasmuch as the members had no training in law, they were not able to discharge their responsibilities properly. The account that I have given a moment ago ought to indicate to anyone taking reasonable view of the affairs of the world that it can never be said to be unsatisfactory at all. I may remind the House that I made it a point to have at least one member of the Special Board from the legal profession. But a circular was issued by the High Court directly to these lawyer members through the District Judges, asking them either to withdraw their membership of these Boards or to suspend their practice. Since they were honorary workers, they could not really suspend the practice and the result was that they have all resigned from these Boards. We have however been able to get the permission of the

High Court to have such members of the Judicial Service as Chairmen of these Special Boards at the headquarters of a district or subdivision as can be spared, and in fact we have appointed some of them as Chairmen of these Boards. We have also been able to secure the services of some retired members of the Judicial Service as also of the legal profession to act as Chairmen of these Boards. We are hoping that this will give us good results.

I mentioned last year that Government had taken a decision already to fix the maximum amount that could be dealt with by these Boards, and in about a few weeks from that date, the rule was published in the *Calcutta Gazette* indicating this amount. With the rules that have been promulgated along with the circulars issued and instructions given, the disposal has been much quicker and it is hoped that the progress of these Boards will be still more speedy and satisfactory.

As regards the complicated question of the rural credit being shrunk, as a result of this Act, I have always maintained the view that the Debtors Act was not solely responsible for it. There are other circumstances which are still more responsible for a situation of this nature. I had in the course of my reply to questions of this description to point out to the House, that the rules framed regarding advances of small amounts for a short-term and also about the rent, would really show that they were not to be dealt with by the Boards like other debts. Again the recent amendments, where any liability incurred after the 1st of January, 1940, would not be brought within the purview of this Act ought to make it plain that Government do not want to stand in the way of sympathetic and reasonable businessmen to help their needy neighbours with some financial assistance for short periods. In this connection, I ought to tell the House that while we seek to conciliate the debts of agricultural masses under the Bengal Agricultural Debtors Act, we do not take any further responsibility.

I would like to mention only one other point, and that is about the provisions of the amending Bill. It gives proper powers to Boards to deal effectively with the usufructuary mortgages of any kind. It also gives them power to decide whether or not the liability is a debt within the meaning of the Act, along with its amount and its existence. Again, it gives power to the Boards to realise through the Public Demands Recovery Act any fees recoverable under the Debtors Act from the creditors, who have not done so in time and as a result of which the proceedings have been held up for a very long time.

I believe, Sir, the little idea that I have been able to give to my honourable friends about the activities of these Debt Conciliation Boards trying to mitigate the difficulties of our innumerable agricultural debtors, will satisfy them and I hope they will have no hesitation in giving their accord to the demand under this head for which I now formally move.

Mr. DHIRENDRA NATH DATTA: I beg to move that the demand of Rs. 23,12,000 under the head "25—General Administration —Debt Conciliation" be reduced by Rs. 100.

Mr. Speaker, Sir, I must tell the House in the beginning that I have full sympathy with the object of the Act. I am one of those who is in favour of completely wiping out rural debts; but, Sir, the working of the Act itself is so unsatisfactory that I have no hesitation in saying that it is unworthy of any civilised Government. The rules that have been framed under the Act and the Act itself are responsible for the unsatisfactory working of the Act. I shall refer to certain rules—rules regarding the realisation of court-fees. Now, Sir, if a creditor obtains a decree in a civil court, you are aware, Sir, that he is required to pay a court-fee of Rs. 11-4 per hundred. But if this decree be included in an application under section 8 of the Bengal Agricultural Debtors Act, he is further required to pay a sum of Re. 1; a further payment of Rs. 2 is necessary—the creditor paying Re. 1 and the debtor paying Re. 1. So it will be seen that the creditor has to pay Rs. 12-4 and if after the award he wants to execute the same, he is required to pay a further sum of Rs. 11-4 per hundred, that is, the creditor is required to pay Rs. 23-4 per hundred and the debtor is required to pay Re. 1 per hundred. So the Government gets Rs. 24-4 per hundred. Thus the absurdity of the rule is apparent and it shows the extraordinary profiteering spirit of the Government. Besides this, a rule was framed in the month of June, 1936, to the effect that the court-fee is to be paid upon the amount decreed, that is upon the amount that is awarded under section 19 of the Bengal Agricultural Debtors Act. But, Sir, the rule was amended in the month of August, 1938, and under the amended rule the court-fee is to be paid not upon the amount of award but it is to be paid upon the amount that is determined under section 18 of the Bengal Agricultural Debtors Act. You are fully aware, Sir, that so far as the decree-holder is concerned, under section 18 of the Bengal Agricultural Debtors Act he is required to pay a court-fee upon the whole amount of the decree. But when the award is made under section 19 of the Bengal Agricultural Debtors Act it is always much less than the amount determined under section 18 of the Bengal Agricultural Debtors Act. The result is, he has to pay a court-fee for an amount for which he does not actually get a decree. So, Sir, the rule regarding the payment of court-fee shows the extraordinary avaricious and profiteering spirit of the Government. I say the rules should be amended immediately.

Then, Sir, with regard to the rule regarding consent you are fully aware that the Act itself does not authorise or give any power to the Board, the Board is entitled to give award if both the creditor and the debtor give their consent, and if they do not give consent—40 per cent. of the debtors do not give consent—then the Boards though invested under

section 7 of the Bengal Agricultural Debtors Act have not the power for giving an award. With regard to consent there is no rule.

Sir, I put a question in the month of February, 1939. The Hon'ble Minister in charge was pleased to say that he was going to frame a rule to the effect that the consent of parties was to be obtained in writing. That was, Sir, the reply of the Hon'ble Minister in February, 1939. But since then no rules have been framed. I put a question (No. 87 unstarred) this year as to why no rule was framed. The Hon'ble Minister in reply said that on further consideration Government decided that such a rule was unnecessary and would prove to be a hindrance rather than help to the administration of the Debt Settlement Board. I must say, Sir, that it is putting a premium on the dishonesty of the Debt Settlement Boards. I do not understand why such a rule should be a hindrance if consent is to be obtained in writing rather than a help to the Debt Settlement Board—this is beyond my conception. It is certainly putting a premium upon the dishonesty of the Debt Settlement Board. So the rule regarding this should be amended.

Sir, with regard to the Act itself our main complaint is that proceedings are delayed. In answer to a question put by me—question No. 92—so far as my district is concerned, namely, the district of Tippera, the Hon'ble Minister said that in the years 1937, 1938 and 1939, 18,687 suits and execution suits had been stayed under section 34 of the Bengal Agricultural Debtors Act. So, Sir, out of 18,687 cases in my district alone only 1,150 cases have been disposed of in the course of three years. Thus 17,000 cases still remain pending. This is the case in one district only and if we look into other districts we will find that the same story is told everywhere. The delay is due to the fact that no powers have been given to the Boards. If, as a matter of fact, the Act is to be worked it should be amended altogether. So my suggestion is that power should be given to Boards for disposing of such cases.

Section 19 of the Act says that even a Board which is invested under section 7 of the Bengal Agricultural Debtors Act cannot dispose of cases if creditors to whom there is owing not less than forty per cent. of the total debt do not agree to an amicable settlement. My submission before you, Sir, is that the framers of the Act altogether ignored the psychology of the parties. It is impossible for the creditors to agree to a settlement against them. The result is this, that no creditor gives a consent but as the Board has to show that some cases have been disposed of, there is bribery and corruption. If the Act is to be worked, the Boards should be invested with full powers but the existing Boards cannot be so invested. So my suggestion is that there should be one Board in each union consisting of three persons presided over by a munsif, and there will be two other members, one to be elected by the

members of the Union Board and another to be appointed by Government, that is, the munsif will decide the cases with the help of jurors and the Boards should be fully invested with powers. And it will be laid down in the Act and in the Rules that the cases should be disposed of not on the basis of contract but on the basis of the capacity of the debtor to pay. If the debtors have not the capacity to pay, the whole debt should be liquidated. As I told you in the beginning, Sir, I am in favour of completely wiping out rural debts but, Sir, the method that should be adopted should be adopted boldly. If the Government want to liquidate debts, they must invest the Boards with full powers. They must issue instructions to the Boards that they should decide the cases not on the basis of the contract but on the basis of the capacity of the debtors to pay.

Then, Sir, it has been said in the recent Act that the power of revision has been given to the District Judge but, Sir, the pleaders have not been allowed to appear before the District Judge. As I have said, Sir, most of the District Judges are Englishmen and the records are all in Bengali. In all cases the papers will be placed before the District Judges. They do not know Bengali and you can easily imagine how they will deal with the revision cases without the help of the pleaders. They will simply throw the papers into the waste paper baskets or will take the assistance of their Peshkars in disposing of the cases.

Sir, with regard to Rules, originally under sections 18 and 19, appeals were to be heard by officers with judicial experience. It seems that Government are mortally afraid of Judicial Officers and power to hear appeal has been transferred from the Judicial Officer to the Subdivisional Officer who is an Executive Officer. I find that the tendency on the part of Government is to transfer powers from Judicial Officers to Executive Officers. That is altogether bad. So, Sir, my submission is that all the rules should be amended.

Sir, before I take my seat I must stress the necessity of amending the rules in regard to court-fees. In a recent conference of lawyers held at Khulna attention of the Government has been drawn to the impropriety and absurdity of the rules regarding the payment of court-fees. I think Government should understand the justice of the claim of the parties concerned and they should not be compelled to pay court-fees. So my submission is that rules regarding the court-fees must be amended.

With these words I commend my motion to the acceptance of the House.

Maulvi HAFIZUDDIN CHOUDHURI: Mr. Speaker, Sir, it is no doubt that great relief has been given to the agriculturists by the enforcement of the Bengal Agricultural Debtors Act since 1937. But it is a pity that what has been given by the right hand has been taken

away by the left. I shall narrate here some facts that will speak for themselves—the woeful plight of some of the tenants under the Attached Estates of Dinajpur district.

Sir, some of the cess-defaulting estates of our district, particularly of the Thakurgaon subdivision, have been attached under section 99 of the Cess Act. Some months ago a circular was issued to all Chairmen of the Debt Settlement Boards to the effect that no application coming from the tenants under the Attached Estates should be entertained by the Debt Settlement Boards. Even cases pending in the Boards are not to be proceeded with and cases already settled and instalments granted are not to be given effect to, in consequence of which certificates are being issued in great numbers for the realisation of rents from the wretched tenants who happen to be under the Attached Estates. I fail to understand why there should be any differential treatment between tenants and tenants for the fault of the defaulting landlords.

Sir, I represented the grievances of these tenants to the Hon'ble Sir B. P. Singh Roy, Minister-in-charge of Revenue Department, by a letter, dated the 30th January, 1940. I also discussed the matter with him during this session. I have also represented the matter to the Hon'ble Mr. M. B. Mullick, Minister-in-charge of Debt Conciliation. The matter was discussed in the Coalition Party meeting and immediate relief was assured by the Hon'ble Ministers concerned. I think, Sir, their assurances will be fulfilled when most of the tenants under the Attached Estates will be ruined by the certificate procedure.

Sir, I have received a representation this morning from one Maulvi Asiruddin Ahmed, Chairman, Radhanagar Debt Settlement Board. I shall read out the true copy of a notice issued to the Honorary Manager of the Dakshineswar Debottar Estates by the Attached Officer, Dinajpur.

The notice reads thus:

এতদ্দ্বারা জানান যায় যে উক্ত সমুদায় মহাল কালেক্টর সাহেব বাহাদুর কর্তৃক সেস্ আইনের ৯৯ ধারা মোতাবেক আবদ্ধ আছে। সেই সমুদায় মহালের অন্তর্গত যে কোন প্রজার ঋণের মিমাংসা ঋণ-সালিশী বোর্ডের নিষ্পত্তি করিবার অধিকার নাই। সে কারণ আদেশ করা যায় যে অনতিবিলম্বে যে সমুদয় প্রজা এখনো ঋণ-সালিশী বোর্ডের আশ্রয়ে আছে, কি যাহাদের দেনার চরম নিষ্পত্তি পূর্বে হইয়া গিয়াছে তাহাদের নামে যে সন হইতে দেনার জন্য উক্ত প্রজা বোর্ডে ছিল বা আছে সেই সন হইতে ১৩৪৬ সাল পর্য্যন্ত সার্টিফিকেট দায়ের করিতে হইবে। যদি কোন প্রজা যাহার ১৩৪৩ সনের পূর্বে ২।৩ বা তদূর্দ্ধ সনের খাজনা বাকি আছে তবে তিনি যদি আপোষে ১৩৪৩ সাল পর্য্যন্ত খাজনাদি মিটাইয়া দেন তবেই তাহার নামে সার্টিফিকেট দায়ের করা হইবে না। ঋণ-সালিশী বোর্ডের মামলা খারিজ হইল কি না তাহার প্রতি লক্ষ্য করার প্রয়োজন নাই। এই আদেশ পাওয়া মাত্র সার্টিফিকেট দায়ের করিতে হইবে।

[illegible] বোর্ডের চেয়ারম্যানদিগকে এতদমর্ম্মে জানান হইল এবং এটাচিং অনারারি [illegible] এই বিষয়ে তহশীলদারগণকে সাহায্য করিতে বলা হইল। ইতি—

From the notice it is clear, Sir, that the tenants under the attached estates have been debarred or are going to be debarred from the relief proposed by the Bengal Agricultural Debtors Act to all tenants without any distinction.

So, I appeal to the Hon'ble Minister concerned and also to the Hon'ble the Chief Minister who feels so much for the oppressed to see that relief sought or to be sought under the Bengal Agricultural Debtors Act by tenants holding lands under the attached estates be not denied to them and that immediate action be taken to withdraw all such notices issued by the Attached Officer, Dinajpur.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, before I go into the details about the working of the provisions of the Act and the Rules framed under it, as raised by Mr. Dhirendra Nath Dutta, I would like to say a few words to my honourable friend Mr. Hafizuddin Choudhury about the complaint that he has made regarding the action taken by an officer asking people not to go to Debt Settlement Boards with reference to cases which have arisen in the estates attached under section 99 of the Cess Act. It is true that he mentioned this matter to me before the Easter holidays, and on that I have referred this to the Collector of Dinajpur asking him to look into the matter himself and give proper directions to all officers to see that a notice of this nature which is in fact wrong be not issued in the way in which it was done, and I have also asked for details of this particular case. As soon as I receive them, I will take suitable action without the least possible delay, and if on examining them I find that anything wrong has been done I will certainly take action to remedy that wrong. I hope that this will satisfy my friend Mr. Choudhuri and he will not worry any further on this point.

Coming to Mr. Dhirendra Nath Dutta, he has started with the observation that the Act and the rules have got to be amended. Well, Sir, with regard to the Act, that is absolutely beyond my power, because the Act is something for which the Legislature is responsible. I may if advised bring up particular amendments before the House, but unless and until the House agrees, it does not take the shape of law for being worked upon. Therefore, Sir, whatever suggestions he has to make with regard to the Act, after it is passed by both the Houses of Legislature, it will be for him to come up with an amending Bill and induce honourable members of this House as also of the other to agree to his point of view.

With regard to the rules, certainly we have got to frame them in such a way as they may be compatible and absolutely in line with the provisions of the Act for its proper functioning.

The first objection that he has taken with regard to the rules is about the court-fees. I am sorry that I cannot exactly follow what he meant, for whatever the position might be, I do not think that any creditor has got to pay as much as Rs. 24-4 for each hundred rupees of his claim. It may be that when he goes to the Civil Court in the first instance, he may have to pay court-fees of Rs. 11-4 for each Rs. 100 in order that he may get some relief there. If his opponent, the debtor, goes to the Debt Settlement Board and if the parties appear before it and a settlement is effected, then under the rules a court-fee of 2 per cent. has got to be paid half and half by the creditor and the debtor.

Now, with regard to the next thing that may happen in such cases when instalments are not paid, the creditor has got to approach the certificate officer under section 25 of the Act, and he may have..... (Rai HARENDRA NATH CHAUDHURI: Why may have?) Well, Mr. Rai Chaudhuri need not be in a hurry, a creditor under these circumstances has to pay an *ad valorem* court-fee for enforcing the award. No such case has up till now happened where the creditor has been called upon .....(Rai HARENDRA NATH CHAUDHURI: Question.).....to do this. However I appreciate the point raised by Mr. Datta, and I can assure him that in cases where the creditor has been to the Civil Court and has paid an *ad valorem* court-fee of Rs. 11-4, we will certainly take steps that he may not have to pay a further sum again. I see the force of the argument. (Rai HARENDRA NATH CHAUDHURI: Without amending the rules what steps can you take?) That will be the step. I have said so. Of course I may not have used the expression in the way in which Mr. Chaudhuri desires it, but it is there. Proper action will be taken with regard to such cases where the creditor after going to the Civil Court has paid an *ad valorem* fee of Rs. 11-4 per cent. and has to pay the same amount again if he has to enforce the award through the certificate officer.

With regard to the question of consent being taken in writing, I answered that question put to me by Mr. Datta and pointed out to him in reply to a supplementary question that it was not possible to have consent in writing in all cases, but instructions have been given to all officers that where it is possible and feasible, consent should be taken on the record in writing. But we have known—and I have known from my personal experience of the Boards that I have visited—that where even the landlords have given facilities to their officers to be present before the Boards to signify their assent, they have definitely refused to give their consent in writing. The result would have been if this rule had been promulgated that all such cases would have been held up and no settlement could be effected. It is from that point of view that I maintain that it is not a feasible proposition to have consent in writing in all cases. If it has been proved that there was anything

wrong, the matter has been set right in appeal by the appellate court. Mr. Dutta may or may not remember that I had been to his district of Tippera in April 1938 where I made it a point to see the District Judge and the Special Appellate Officer—a Munsif, whose name I shall not mention—and discussed this matter with them, and on having a discussion I found that the Appellate Officer also agreed with me that it was not a feasible proposition to have consent in writing in all cases. Therefore, Sir, to the rule promulgated by Government no further amendment is necessary.

Mr. DHIRENDRA NATH DUTTA: When did you go to Tippera?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: In April, 1938.

Rai HARENDRA NATH CHAUDHURI: Was it on the 1st of April? (Laughter).

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: No. On the 1st of April I was with you in this House. (Renewed laughter.)

Now, Sir, with regard to the other allegation that my friend Mr. Dutta has made that Boards have not been given all the powers, I have told the House in my opening speech that we have given powers to most of the Boards—the powers that are contemplated in the Act. I agree entirely with him that the progress of work of these Boards in the beginning was slow; it must be slow because to start with they must make themselves familiar with the provisions of the Act and the rules and they must be told about the interpretation and application of this Act to individual cases. It was only for this reason that the progress of the work of the Boards was slow in the beginning, but the outturn of the Boards ought not to leave any doubt in the mind of anyone that in the course of these three years they have given a satisfactory account of their activities. (Rai HARENDRA NATH CHAUDHURI: From your own figure, not even 50 per cent. of the cases have been disposed of.) That also has been due to other factors, namely, that we have not Boards established all over the province. The idea was to have 5,000 Boards in the province and that there will be at least one Board for each union or one Board for two small unions. And we thought that in 6,000 Union Boards, at least 5,000 Debt Settlement Boards would be able to cover one big or two small Union Boards. I have given an account of the establishment of the Boards from time to time. And that ought to show to Rai Harendra Nath Chaudhuri that we have not been slow from that point of view. Sir, my friend says that it is a question of opinion; undoubtedly it is,

and that shows that Government is justified in its policy. That being the position I submit that there is no point in what Mr. Dutta has said in regard to this particular matter. It would be a happy thing if all our debts came to an end overnight. We could then be very happy to tell everybody concerned that the agricultural debts of the province have been wiped off. I would leave it to you, Sir, to recall the result of the Board of Economic Enquiry Committee set up in this province, and as a result of that Enquiry Committee it transpired that the debts of the rural masses of the province was found to be Rs. 100 crores. If there is anybody that wants to see all those debts are wiped off in a moment,—that would be a very happy thing indeed. But, Sir, Government who are responsible not only to the indebted masses but also responsible to those who have out of sympathy with their distressed neighbours, advanced some money to them—Government are responsible to them also, and we have got to see that these responsibilities to all are discharged satisfactorily. Let me now relate a story which is perhaps familiar to everybody in this House. Sometimes in a feast when a householder has not got enough to offer, he offers large pieces of sweets to anyone that he comes across although it is not possible for him to please everybody. The result is that everybody refuses these big things but the guests are satisfied and at the same time the householder keeps all the sweets to himself. The suggestion completely to wipe off the agricultural debts of this province embodies a proposition which nobody can agree to, and I do not think any further argument is necessary. As regards the power of revision to the District Judges, it was also suggested by Mr. Dhirendra Nath Dutta in connection with the amending Bill of mine which was mooted in December last. I gave a reply to that particular point and I submit that I have nothing further to add to what I said on that occasion. These are all the points, Sir, that call for a reply and I oppose the motion.

The motion of Mr. Dhirendra Nath Dutta that the demand of Rs. 23,12,000 under the head "25—General Administration—Debt Conciliation", be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Mukunda Behary Mullick that the demand of Rs. 23,12,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation", was then put and agreed to.

Adjournment.

It being 8-10 p.m.

The House was adjourned till 6-30 p.m., on Thursday, the 28th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 28th March 1940, at 6-30 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 9 Hon'ble Ministers and 191 members.

STARRED QUESTION

(to which oral answer was given)

Expansion of Zorwarganj Government Weaving School.

*252. **Khan Bahadur FAZLUL QUADIR:** (*a*) Has the attention of the Hon'ble Minister in charge of the Agriculture and Industries Department been drawn to the growing demand for admission of more students in the Government Weaving School at Zorwarganj due to the starting of the National Cotton Mills at Chittagong?

(*b*) Has the Hon'ble Minister received a representation from the Secretary, National Cotton Mills, Limited, Chittagong, for the expansion of the Zorwarganj Government Weaving School for training more boys to meet local demands in weaving industry?

(*c*) If so, what steps is he proposing to take for giving effect to the demand made in the said representation?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) No. The Director of Industries has, however, received a request from the Chittagong Industrial Development Committee for the training of 100 boys in the school on a temporary basis.

(*b*) No. The Director of Industries has received a request of the kind from the Chairman of the National Cotton Mills, Limited, Chittagong.

(c) As the school provides for training in handloom weaving whereas the National Cotton Mills want men trained in power loom weaving, the training of more boys than the number at present trained in the school will serve no useful purpose.

Mr. ATUL CHANDRA SEN: With reference to answer (c), is the Hon'ble Minister aware that there is much in common between handloom weaving and power loom weaving so far as preparatory and finishing processes are concerned and, therefore, the training of more boys in the said school is not useless as the Hon'ble Minister says?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a question of opinion.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state how many students are at present getting training in the Zorwarganj Government Weaving School?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether Government think it desirable to send there a peripatetic demonstration party to meet the demand in the Chittagong district?

The Hon'ble Mr. TAMIZUDDIN KHAN: The honourable member gives out a suggestion just now, and I cannot say anything offhand. If a representation is made properly to Government, it will be taken into consideration.

The Hon'ble Khwaja Sir NAZIMUDDIN: May I just point out that notice has been given of an adjournment motion? If it is not moved now, it can never be moved.

Mr. SPEAKER: Quite so.

DEMANDS FOR GRANTS.

12—Charges on account of Motor Vehicles Acts.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,50,000 be granted for expenditure under the head "12—Charges on account of Motor Vehicles Acts".

The motion was put and agreed to.

—Other Taxes and Duties.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,45,000 be granted for expenditure under the head "13—Other Taxes and Duties".

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,45,000 under the head "13—Other Taxes and Duties" be reduced by Rs. 100.

Sir, last year, during budget discussion on a similar grant, I had drawn attention to the urgent necessity of formulating some policy by Government for the supply of cheap electricity to mufassil areas, and the Hon'ble Minister in charge of the Commerce and Labour Department was pleased enough to assure us that he was examining the possibilities of some new policy in the matter of development of electricity for the province. Since then there has been increasing attention of the public to the problem of electricity supply and expansion of electrical schemes, and I understand, that nearly a year ago, a report was submitted to Government by the Special Officer appointed to enquire into the possibility of development of electrical schemes in this province. We are yet in the dark as to what Government have done so far with regard to that scheme or that report. The report of Mr. Redclift was received or rather signed by him in March, 1939. This is March, 1940. Nearly a year has elapsed and we have not had any evidence of Government having received the report or come to a decision on the matter. In that report certain valuable preliminary data have been noted, but unfortunately we do not find any definite guidance given. As some experts have characterized, that report is more like a compendium of existing circumstances in Bengal and other provinces than a report throwing some new light on the expansion of electricity in Bengal. Sir, the time has come when the Government have to formulate a definite line of action following the decision about the policy that the Government will adopt henceforth in the matter of development of electricity, because it is on the success of electrical schemes and the possibility of supply of cheap electricity numerous beneficent measures in the rural as well as in the urban parts of Bengal depend, including proposals for extensive irrigation schemes, and about the development of small and big industries. The economic activities in the rural parts of Bengal depend entirely on the possibility of supply of cheap electricity. It was on the last occasion I submitted that Government would be well advised to examine some of the suggestions from time to time made both by experts and by others in this connection. I submitted that it would be desirable, for example, to examine the

possibility of hydro-electric schemes in the northern part of Bengal as well as thermal schemes in some parts like the coal areas and areas near about Calcutta. Since then the big Mulajore Power House of the Calcutta Electric Supply Corporation was established and on the occasion of the opening ceremony of that Power House, His Excellency the Governor made certain observations throwing some light on the possibility of supply of cheap electricity. We would like to know from Government if there is any foundation in the expectation held out by His Excellency in that connection. Sir, I understand that an officer of Government, an I.C.S. officer, was sent to England with a view to make a study of the administration of electrical schemes. We do not know whether that estimable gentleman has come back to India with the necessary experience, nor do we know if any valuable report has been submitted. It is only rumoured that when sanction was asked for his travelling expenses the Finance Department pressed for a report, and a report of two foolscap sheets has been received which is not worth the paper on which it is typed. Sir, I would like to know if Government are prepared to follow up the assurance given by the Hon'ble Mr. Suhrawardy on the last occasion that Government was examining the possibility of large and small schemes, as well as the possibility of nationalisation of electric supply concerns. On the various suggestions Government must have got some expert views or opinions or recommendations. We would also like to know from the Hon'ble Minister in charge of Commerce and Labour if these various suggestions have been or are being examined by duly qualified experts. I submit that so long the Electrical Department of the Government of Bengal had been more or less doing the work of a police department. They were merely controlling the electric supply concerns with no idea of a commercial development, and no idea of supply of cheap electricity to the province. They were merely controlling the excesses or alleged infringements of the Indian Electricity Act by the Electricity Supply concerns. I would like to know from the Hon'ble Minister in charge if they have, apart from the policing in connection with electricity, any definite idea about the advancement or development of electrical schemes as has been undertaken by other provinces. From the report of Mr. Redclift it appears that the province of Madras has made a great advance in this connection and so also the provinces of the Punjab, the United Provinces, and Bombay.

We would like to know and have an assurance from the Hon'ble Minister that the Government of Bengal is also trying to follow the good work done by other provinces in this connection.

Sir, I am not a technical expert and I am not in a position to give Government any technical advice; but I know as a commercial man that when technical things like this come up to the Government for

consideration, the best thing the Government can do is to obtain the best technical advice in the matter. Unfortunately our Hon'ble Minister in charge of Commerce and Labour is too much steeped in work, and probably his labour knows no limit. He has also had added to his own files the important and onerous files of the Finance Minister. If he does not get sufficient time to look into the other projects—projects which are likely to give so much benefit to the province,—then it is time that with the consent of his Chief—the Hon'ble the Chief Minister —he should part with some of his important functions and allow other Ministers who have probably a little more time and a little more opportunity to examine such things, to take up such files and to take up such duties on which very largely the development of rural as well as urban economic life of the province depends.

Sir, I would like Government to examine if there is anything in the valuable suggestion made by Mr. Redclift that preliminary to any estimate of the possibility of electrical development, an industrial survey—a properly constituted survey—of the possibilities of industrial development in the province has got to be finished. Mr. Redclift seems to think—and I believe an expert like him really means what he said—that much depends on the total load, and if the Industrial Survey Committee cannot finish its labour in time and cannot give an indication as to the line of development of industries they are contemplating, then it is not possible for the electrical expert to formulate any scheme; for unless he knows the load factor on which his scheme has got to be prepared or formulated, he cannot do anything. On the other hand, it appears that the Industrial Survey Committee think that unless they know what power or at what cost the power is going to be obtained, it is difficult for them to suggest any line of development of small and middle-sized industries. It appears that we are in the midst of an argument in a circle—the Industrial Survey Committee will hold back their work on the expectation that the expert of the Electrical Department will give an idea of the cheap power that is available, and, the electrical expert will say that unless he gets an indication of the future possibilities of industrial development he cannot proceed any further. So Government will have to find some solution, some method, some means by which to get over this vicious circle.

Sir, I submit that apart from this question of cheap electricity there is a very important question which has got to be settled first and foremost, that is, the question as to how Government propose to organise the development of electricity in this province in future. In the past, so far only private enterprise was depended upon for the development of electricity, as a result whereof, the more profitable concerns and the more profitable areas were taken up by private parties, and, through private enterprise, whatever is possible for the development of

electricity, has been done. Now, Sir, the time has come for Government to see if Government with its own resources either directly or with encouragement from Government to private firms, can or should develop electrical schemes in this province. In this connection, Government may either think of owning electricity concerns themselves having nationalised all existing electrical concerns or they may think of encouraging by subsidies or otherwise some such well-organised private companies which they might approve of. There is the danger of political interference in details of technical management when Government would try to undertake such a big scheme themselves with their own resources directly. I would like Government to examine the possibilities of following the healthy practice, that we find in Great Britain, of permitting Electricity Commissioners or a Board of Electricity Commissioners to manage, on behalf of the nation, the nationalised electrical concerns and such a Board of Electricity or Electricity Commisioners might be established here even now with a view to examining the various schemes. Sir, I submit that there may, at the present time as some persons think, be a dearth of suitable experts in connection with the development of electricity schemes in this province. If that is true there should be no stone left unturned to get the best man possible for this kind of work from wherever possible. It is no use hiding the fact that we do not have in this province or probably even in India, such experts as may give us in some respects the most valuable expert guidance in this connection. Mysore did not stop from getting the best advice from America. Ireland —free Ireland—did not stop or hesitate from getting expert advice from Germany and such international help may be sought for, if necessary, if Bengal is to get cheap supply of electricity. It is understood that in the Calcutta area, the cost of manufacture of electricity, as calculated by the Calcutta Electric Supply Company in connection with an arbitration case, comes up to nearly 8 pies per unit although, of course, our experts say that it might be even less. In the mufassil, I understand, the average cost is about three annas and six pies per unit. In the mufassil, the actual rate per unit for consumers varies from five annas to eight annas. This is appallingly high and no amount of development of industry can be contemplated so long as such high rates for electricity are prevalent.

There need not be any conflict of interests between the Government —the new policy that Government may formulate—and the existing electrical concerns. If large electric power houses are established with the help of Government on the basis of the grid system, then small concerns which supply electricity in small mufassil towns may be absorbed into that big distributing agency. These small concerns may be easily maintained, so long as they have got the licence, at the present moment without expropriating their interests completely. They may

be absorbed into a big comprehensive scheme of electrical development giving them their due place in the matter of electricity and mainly with regard to distribution. These concerns may get cheap electricity from the big power house where the electrical energy will be manufactured at a very low cost under the grid system and thereafter distribute the power to small consumers at cheaper rates.

Sir, I do not like to take the time of the House any more. I would only implore Government on a matter like this to rise above party considerations; let us see that during our regime, during the time when the Hon'ble Ministers are Ministers and we are on this side of the House as well as those on our left are there, we may put our heads together to find out how best we can give Bengal cheap power for the purpose not merely of developing our industries but also of improving our agriculture.

(Here the member having reached the time-limit, resumed his seat.)

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that the demand of Rs. 1,45,000 under the head "13—Other Taxes and Duties" be reduced by Rs. 100.

The object of my motion is to discuss the failure of the Government to implement any scheme for supply of cheap electrical power for industrial and agricultural improvement of the province.

Sir, after the learned speech of my honourable friend, Dr. Sanyal, I have not very many words to say in this connection. My reason for moving this cut motion is that I have been giving notice of a resolution for the appointment of an expert committee for the development of electricity schemes in this province for more than two years. Unfortunately for me, Sir, my resolution could not secure a high place in the ballot session after session. It is just for this reason that I have tabled this cut motion.

It is a matter of deep regret, Sir, that Bengal which is so rich in hurrying streams as well as in hoarded coal should be so much lacking in electrical power. There are not very many provinces in India which are so rich in these resources; still they have developed their electricity projects. It is a matter, therefore, of great shame that a popular Government now in office for the fourth year should be unable here to propound even a scheme, far less to give effect to it, even after such a length of time. I put a question in the November session as to what the Industrial Survey Committee have had to say on the subject. The only reply, Sir, that I got was that they made an interim report on the matter. I again put a question in this session to ascertain what was the report like. The answer that I got was that the report could not be published now because it was under the consideration of the Government. How long it will be under the consideration of the Government, of course we do not know, but that answer shows that this Government

has no inclination to move fast in this matter. It suffers from an absolutely anti-diluvian and wooden attitude so far as this very important question affecting the development of the agricultural and industrial resources of this province is concerned.

Now, Sir, let me state in passing that I do not agree with my friend Dr. Nalinaksha Sanyal when he says that private companies should be subsidised in this matter. This is not a thing that can be achieved by subsidising a private company or companies. It is a large venture and has got to be undertaken by the Government with all the financial resources at their disposal. Other Governments—by other Governments I mean the other Provincial Governments in India—have taken upon themselves the duty of supplying cheap electricity. Even, Sir, such a minor province as Bihar appointed an expert committee and even made some provision to act up to its report. Dr. Sanyal says that there are not very many experts in this country who can be consulted in such matters. I do not think that is a correct statement. In the first place who was responsible for the Western Ganges Grid Scheme? It was Sir William Stamp, the late Chief Engineer of the United Provinces. Again, Sir, Bihar had found out experts to give them dependable advice in this matter and, Sir, this was the position in Bihar last year. I am quoting from the speech of the Hon'ble Finance Minister of that province made in introducing the Budget for 1939-40:

"In March, 1938, the Government of Bihar appointed a Special Officer to investigate into the possibilities of inaugurating an electrification scheme for the province and charged him with the duties of carrying out a survey of the areas covered by it. He was further asked to collect necessary materials and formulate tentative proposals. He made an exhaustive enquiry and submitted his report."

Then he went on to say, "Government has since appointed a technical committee consisting of three experts—Messrs. Forbes of Mysore Government, Parkinson of the Calcutta Electric Supply Corporation and Mitra of Government of India. The report of the Special Officer was subjected to scrutiny and examination by this committee with the result that the scheme has been found not only to be feasible but sound in the opinion of the members of the committee, and in the opinion of the members of the committee it is incumbent upon Government to carry out such a scheme." They had estimated the cost of this scheme at something like Rs. 2½ crores and the Finance Minister said: "It is proposed to meet the cost by a loan. Meanwhile the suggested staff will be appointed and details worked out. The cost of preparing the scheme etc., etc." (The Hon'ble Mr. H. S. SUHRAWARDY: What happened?) This is what happened. They got a full-fledged scheme prepared by an expert and thoroughly examined by an expert committee, they provided for a staff to work out the details a year ago, whereas

the Government of Bengal have done nothing so far. What has been possible for Bihar should surely have been possible for Bengal which attempts to vie with the bigger Provincial Governments like the United Provinces Government and the Madras Government.

Sir, what was the position in Madras? In Madras they took over a loan of more than Rs. 6 crores at the inauguration of the present Reforms for the Cauvery-Mettur project. The earlier project was the Pykara project which served five districts in Madras. The next project, i.e., the Cauvery-Mettur project, is designed to serve 7 districts and that project has been brought into operation since November, 1937, after the new Government took their office. Not only that, Sir. They further extended their electrical schemes. They did not depend on hydro-electric projects alone. They went further and instituted thermal schemes and thermal stations were set up in Vizagapatam as well as in Bezwada and Coconada. Not only that. A major scheme not of the hydro-electric type but a combined hydro-thermal scheme known as the Papanasam project has been introduced and nearing completion. This scheme, when in full operation, will electrify the rest of the province. Sir, when so much advance has been made by Madras, our Government is not even ready with one single scheme, far less ready to put into effect. Sir, after introducing the electricity schemes they in Madras have even substantially raised their revenues under this head. They took over as I said, a loan of 6 crores of rupees for the Cauvery-Mettur project from the Government of India and they have to repay the loan in 70 annual instalments of Rs. 30 and odd lakhs per year. By this time by the sale of cheap power they have raised their revenue under the head "Electricity" so much that they now expect (so far as I can see from their present Budget) a net revenue of Rs. 36 lakhs from the electricity schemes, i.e., they are going to get more than they have to pay annually for the liquidation of the Cauvery-Mettur loan. That is the position, Sir, in Madras.

So far as United Provinces is concerned—I think Dr. Sanyal went into their schemes—there they have protected 1½ million acres from famine by the development of the Western Ganges Grid Scheme. Not only that, Sir. They are also pushing forward what is known as the Eastern Grid Scheme. Now, Sir, the Western Ganges Grid System is a scheme which was meant for the development of industries and agriculture in six districts—particularly in those districts which suffered from frequent drought. The result has been that districts which suffered from chronic failure of rain and from famine are now getting plenty of crops because of that beneficent scheme carried out by the United Provinces Government at a cost of about Rs. 3½ crores.

Of course now-a-days in the matter of electrification one need not think simply of hydro-electric schemes. Electric schemes for the sale

of cheap power do not now-a-days mean simply hydro-electric projects. It is for that reason I referred almost at the beginning of my speech to the fact that Bengal is so much rich in coal. Take for instance England and Germany, countries which have plenty of coal. There they do not think of hydro-electric projects. They run their electricity schemes mostly by taking help of steam plants. Even in the present-day America it has been found that thermo-electric schemes are much cheaper in their cost and products than hydro-electric schemes. The Hon'ble Minister ought to know that even in the Niagra region thermo-electric project is worked with greater profit, i.e., supplies cheaper electricity than that produced by the Niagra Hydro-Electricity Company. If he is not aware of these things, he ought to be aware of them when he is to take important decisions of far-reaching consequence in this matter. But I must say that this Government has waited much too long for launching a scheme for the electrification of this province. It has no ground except its own indifference and inefficiency for waiting further. Sir, Bengal has plenty of resources which lie untapped and simply because our Government is so wooden that it cannot move that these resources lie still untapped and we have sunk into the position of a backward and a benighted province while other and some less resourceful provinces even have gone ahead with their electricity projects. I would, therefore, urge upon the Government the immediate necessity of taking up and launching in right earnest a scheme for the electrification of this province and not to take recourse to lame excuses any further.

Mr. R. J. HAWKINGS: Mr. Speaker, Sir, I do not know whether Government have under consideration any scheme for the improvement of the electrical industry in Bengal. But if they have, I feel sure that the whole province will welcome the improvement of what should be a major and most important industry and any development would not fail to command the support of all commercial organisations.

If electrical supply companies are to be formed, they must be financed either by private capital or else by Government or possibly by semi-private bodies sponsored by Government and in either case there are certain dangers to be avoided.

If private capital is to be attracted, it is absolutely necessary to ensure that the capital so invested has some reasonable chance of earning a dividend. There have already been in Calcutta ill-advised attempts to interfere with the normal activities of the Calcutta Electric Supply Company, and in Madras, Government have imposed a tax on certain electric supply companies but forbidden them to pass the tax on to the consumers. The result is that the 3 or 4 supply companies there who have spent several difficult years in establishing their position now find themselves unable to show any return for their capital at all. Such

methods will not attract capital for investment in electric supply companies whether from Indians or from Europeans, and no money will be available for investment unless it can be guaranteed a reasonable chance of earning dividend.

If, on the other hand, Government wish to do as has been done in the Punjab, Madras and other provinces and develop electric supply companies under their own organisation, then I think it will be desirable to provide some means other than the normal channel of Government activities to enable such companies to be developed. An electric supply company is not an easy organisation to develop. Generally speaking, some years must elapse before it can show any profit at all and it is absolutely essential that coincidence with the inception of the supply there should be some load or building organisation to develop and help industry to take advantage of the electric supply becoming available. Even in a highly industrialised country like England the success of the supply companies or other organisations is dependent on the success of the load development departments and such organisations employ highly paid and highly qualified engineers who have no other purpose than to encourage and assist industry to draw supplies from the electric supply companies.

Furthermore, it may even be necessary for a country like India which is less industrialised and where the people have less money to provide certain funds to help consumers to purchase power equipment and motors to enable them to change over from their old systems to electric power.

I suggest, therefore, if Government are seriously considering any large scheme, a separate body should be formed somewhat similar to the Electrical Commissioners in England which body should consist of a few expert engineers who should be free to develop the possibilities of electric supplies in every possible way. I do not think that under the existing regulations governing audit, appointment and pay that electric supply companies can easily develop in a country so little industrialised as Bengal. On the other hand, if there were a small body of 5 or 6 Commissioners who had no other interest than the development of electric power supplies in the province and who were responsible only to the Minister then possibly much could be done.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, I marvel at the acumen of Dr. Nalinaksha Sanyal and his inside information of matters with which Government is at present dealing. I do not know how he came to ascertain, which is a fact, that I am considering the appointment of electricity commissioners for the purpose of taking up the question of the development of electricity in the province. Also I do not know how he has come to know that up till now Mr. Redcliff's report has not been placed before me for consideration

and that very recently—and but a few hours ago—the notes regarding the preliminary report of the Industrial Survey Committee have come up before me.

Sir, the policy that cheap electricity should somehow or other be provided for the people of the province has been formulated. The question now is how that can be done. (Rai HARENDRA NATH CHAUDHURI: It is a matter of policy only!) The policy is there; the only question is method.

I do not think, Sir, that I stood exactly in need of a lecture from Mr. Chaudhuri on the different values and importance of thermal units and hydro-electrical units. As a matter of fact, the Calcutta Electric Supply Corporation which is one of the biggest thermal units in the East, if not the biggest, is cheaper than any hydro-electrical unit that has been established of that size. One of the main questions for putting down an electricity plant is the nearness of the load and the amount of the load. It pays, for instance, a body like the Calcutta Electric Supply Corporation to bring its coal from the coal areas and develop electricity near the industrial load than to develop electricity in the coal areas and bring electricity here by the use of high tension wires.

Therefore, Sir, one of the first things that we should note, if we want to develop electricity, is that we should have some idea with regard to the industrial and agricultural possibilities of this province; and in regard to this, Sir, there has been no survey. I am hoping that the second survey of the Industrial Survey Committee will go into this question and will give us some idea with regard to the industrial and agricultural loads and the electricity requirements of the province. There are many units; I believe there are as many as 40 plants already in existence in Bengal. All of them are eager to have industrial and agricultural loads, but there does not seem to be any need for their electricity. I am certain that these plants will be able to sell electricity at a cheaper rate if that load was forthcoming. We have tried our best to induce municipalities to put up waterworks which may take the advantage of the electricity load within the area so that the company may prosper and at the same time be in a position to reduce its rate. (Rai HARENDRA NATH CHAUDHURI: How many?) There are many who have done it and there are many more who are doing it. We have advised all these municipalities where electricity is already in existence to utilise that electricity for the purposes of waterworks.

Now, Sir, I do not think that I need go into the very important questions which have been raised by Mr. Redclift in his Report which, although it has not come up to me with proper notations, I have gone through for the purpose of understanding the electricity problem of this province. The Report is not merely a collection of the electricity concerns in other provinces but it does make some very valuable suggestions. It seems to me that in order to put those suggestions into

practice now is not the proper and the best time. The war is on us, and prices of all the plants have gone up, and we shall not be able to get plants even if we want them. (Dr. NALINAKSHA SANYAL: But you can finish the preliminaries.) Yes, I quite agree with Dr. Sanyal that this is a most suitable opportunity for us to formulate schemes and keep them ready so that when the war is over we may be able to put those schemes into practice and it will certainly help the province in the slump which I foresee will come after the war. Now, Sir, it has been stated that the resources of this province are considerable, and possibly much greater than the resources of the other provinces. I do not think, Sir, that there is any very great justification for a statement of this kind. It is possible that with our resources we may be able to supply electricity as cheaply or as dearly as the other provinces are doing, but as a matter of fact our resources are limited. Electricity can only be developed in one corner of this province if we wish to utilise our coal resources; our water power resources can be developed on another corner of the province, namely, in the northern portion of Bengal if we can take advantage of the water power of Sikkim. But the resources which are provided by gradient as we have for instance in the Punjab, or in the United Provinces are not available to us, as our province is flat. The resources that are provided by water power as in Bombay, very near the industrial load, are not available to us. Therefore, that factor will also have to be considered. Here the water resources are very far away from our industrial load, and we are trying to see whether we cannot induce railways, big or small, to co-operate with us in taking from our hands some of the electricity that we may develop. If we are able to do that, if we are able to interest the railways in that, then we can certainly go in for big schemes. (Dr. NALINAKSHA SANYAL: Is that the last word?) No, no, that is not the last word.

Now, Sir, the question of getting cheaper electricity depends on the magnitude of the plants. Every one knows that small plants are uneconomical, and that is one of the main reasons why in the mufassil the people have to pay a higher rate—sometimes as much as seven annas or eight annas per unit. So, the bigger the plant the cheaper will be the electricity, and we are considering a scheme of putting up bigger plants by grouping load areas which as yet has not been worked out. Now, Sir, I must confess that this problem, namely, the problem of development of cheap electricity has to a very large extent eluded me and the best way out that I can find is to appoint a Board of Electricity Commissioners who will be able to assist Government in framing schemes. Now, whether the future development of electricity will depend on private enterprise, subsidized or otherwise, or will be taken up by Government itself under the advice of an expert commissioner has also got to be very seriously considered. Government have not as yet decided on that question. I have my own predilections in the

matter and my predilections are in favour of Government taking up the matter and not leaving it to private enterprise. (Rai HARENDRA NATH CHAUDHURI: That is right, that is right.) But that is a matter, Sir, which must, in the end, depend very much on expert advice. We hope, Sir, that within the next few months I shall be in a position to take a forward step and then formulate a certain scheme for the purpose of ascertaining the industrial and agricultural loads which are available to us. After we have done that we shall be able to take up a proper scheme, and hope that in the interim period, that is to say, within the time during which we will not be able to get the machinery for putting up the plants, we shall be in a position to frame an adequate scheme which will be placed before the House in due course. I hope, Sir, in view of the statement I have made the movers will be good enough to withdraw their motions.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 1,45,000 for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs. 100 was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that the demand of Rs. 1,45,000 for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that a sum of Rs. 1,45,000 be granted for expenditure under the head "13—Other Taxes and Duties", was then put and agreed to.

"41—Veterinary."

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,55,500 be granted for expenditure under the head "41—Veterinary".

Mr. DHARU CHANDRA ROY: Sir, I beg to move that the demand of Rs. 6,55,500 under the head "41—Veterinary" be reduced by Rs. 100.

মাননীয় স্পীকার মহোদয়, সে দিন পাট-নিয়ন্ত্রন বিল সম্পর্কে আলোচনার সময় আমার একজন কোয়ালিশনী বন্ধু বোলেছিলেন "এই সব বিষয়ে কিছু বলা অরণ্যে রোদন।" সে বিষয়ে কোন সন্দেহ নেই। আজ একটা কথা বিশেষভাবে গভর্ণমেণ্টের দৃষ্টিগোচর কোর্ত্তে চাই। দিনের পর দিন চাষীদের দুরবস্থা বেড়ে যাচ্ছে, পশুরোগের অন্ত নেই অথচ veterinary বিভাগ এই ভাবে চোলছে। এবারে এক অভিনব পশু চিকিৎসা প্রণালী মফঃস্বলে প্রচলিত হোয়েছে। সেই প্রণালী অনুসারে, যখন গরুর উপস্থিত হয় তখন যদিও ডাক্তারকে পাওয়া যায় এবং তিনি যদি অনুগ্রহ কোরে ঘটনাস্থলে আগমন করেন তাহোলে গোরুর রক্ত নিয়ে চাকা কিম্বা কলিকাতায় পাঠান হয় এবং সেখান থেকে রিপোর্ট এলে পরে গোরুর চিকিৎসা আরম্ভ হবে। তার ফলে গোরুদের যার বাঁচবার আপনি বাঁচে, আর যার মরবার সে আপনি মরে। সুতরাং গভর্ণমেণ্টের

এই অভিনব চিকিৎসা প্রণালী প্রশংসনীয় বটে। ১৯৩৮ সালে যখন আমি এ বিষয়ে বক্তৃতা করি তখন আমি একটা suggestion দিয়েছিলাম যে সমস্ত province এর জন্য একজন Director, প্রত্যেক বিভাগের জন্য একজন কোরে Deputy Director, প্রত্যেক জেলার জন্য একজন কোরে Chief Inspector, প্রত্যেক মহকুমার জন্য একজন কোরে Inspector এবং প্রত্যেক থানার জন্য একজন কোরে veterinary ডাক্তার ও একটা করিয়া দাতব্য চিকিৎসালয়ের ব্যবস্থা করা কর্ত্তব্য। কিন্তু গভর্ণমেন্ট তাহা করেন না। গভর্ণমেন্ট কৃষকদের প্রতি বিমাতার চেয়েও খারাপ ব্যবহার করেন। কারণ, এই গবাদি পশুকুল কৃষকদের একমাত্র সম্পত্তি যার সাহায্যে তারা শস্য উৎপাদন কোরে দেশের সম্পদ বাড়িয়ে তোলে। আমি জিজ্ঞাসা কোর্ত্তে পারি কি গভর্ণমেন্টকে যে তারা মাননীয় বড়লাট বাহাদুর Lord Linlithgo র stud bull দেওয়া ছাড়া এই সব গবাদি পশুর উপকারের জন্য আর কোন কিছু কোরছেন কি না এবং গবাদি পশুর স্বাস্থ্যের উন্নতি বিধানের জন্য কিছু করা গভর্ণমেন্টের ইচ্ছা কি না? শুনেছি নেপিয়ার ঘাস নামে এক রকম ঘাসে গবাদি পশুর উপকার হয় কিন্তু জানি না কি ভাবে এই ঘাসের প্রচার কার্য্য চোলছে। আজ শুনতে পাই চাষীদের জন্য দরদে মন্ত্রী মণ্ডলীর চোখে গঙ্গা-যমুনার জল বয়ে যাচ্ছে কিন্তু কৈ গবাদি পশুর রক্ষা এবং উন্নতি-বিধান কল্পে গভর্ণমেন্ট কি কোরছেন? যদি আমার suggestion অনুসারে গভর্ণমেন্ট কাজ কোর্ত্তেন, অর্থাৎ যদি প্রত্যেক থানায় একজন কোরে veterinary ডাক্তর ও দাতব্য চিকিৎসালয় রাখতেন, তাহোলে কৃষককুলের কথঞ্চিৎ উপকার হোত। একটি concrete example দিচ্ছি। আমাদের টাঙ্গাইল মহকুমা পাবনা জেলার সমান। সেখানে দুইটি circle এ মাত্র দুইটি veterinary ডাক্তার আছেন। এই অবস্থায় গভর্ণমেন্ট সহজেই অনুমান কোর্ত্তে পারেন কি ভাবে পশুকুল রক্ষা পাচ্ছে। এই veterinary বিভাগ গভর্ণমেন্ট জেলা বোর্ডের হাত থেকে নিজের হাতে নিয়েছেন। এখন জিজ্ঞাসা কোর্ত্তে পারি কি জেলা বোর্ডের হাত থেকে নেওয়ার পরে গভর্ণমেন্ট এই বিভাগের কি উন্নতি বিধান কোরেছেন? কতকগুলি লোককে চাকরী-বাকরী দেওয়া ছাড়া আর কোন উপকার এ যাবৎ করা হয় নাই।

এ সম্বন্ধে আর একটা কথা বোলতে চাই। এই সব বিষয়েই দেখা যায় যে যত টাকা খরচ হোচ্ছে সবই প্রায় Dacca এবং Bakarganj (বাখরগঞ্জ এবং ঢাকা)। আমি জিজ্ঞাসা কোর্ত্তে চাই যে গবাদি পশুর সংখ্যা কি কেবল Bakarganj এবং ঢাকাতেই বেশী বাংলাদেশের অন্য স্থানে কি নাই? আমি গভর্ণমেন্টকে বোলতে চাই যে যদি বাংলার কৃষককুলকে বাঁচাতে চান, যদি বাংলার স্বাস্থ্য-সম্পদ ফিরিয়ে আনতে চান, তাহোলে সর্ব্ব প্রথমে এই গবাদি পশুর উন্নতি বিধান কোর্ত্তে হবে। শুধু stud bull দিলেই হবে না। এই সব গবাদি পশুর চিকিৎসার একটা সুব্যবস্থা গভর্ণমেন্ট করুন এই আমার অনুরোধ। মাননীয় মন্ত্রী মহাশয় যখন প্রজা পার্টিতে ছিলেন তখন কৃষকের জন্য তাঁর দরদ ছিল এইবার তিনি তাঁর দরদ কাজে দেখিয়ে দিন। কিছু দিন পূর্ব্বে তাঁকে একটি প্রশ্ন জিজ্ঞাসা করা হোয়েছিল। তা থেকে দেখা যায় মৈমনসিং জেলায় এবং বিশেষ কোরে টাঙ্গাইল মহকুমায় অত্যন্ত অধিক সংখ্যায় গবাদি পশুর মৃত্যু হোয়েছে। Cattle disease বাংলার সর্ব্বত্র ছড়িয়ে আছে কিন্তু তার চিকিৎসার কোন বিধান হয় নাই। তাই আজ আমি আমার cut motion আপনাদের সমক্ষে উপস্থাপিত কোরছি যে এই দাবি থেকে একশত টাকা ছাটাই করা হোক।

Mr. ABUL HOSSAIN AHMED: Mr. Speaker, Sir, আমি veterinary র under এ Calcutta Society for the Prevention of Cruelty to Animals এর সম্বন্ধে কিছু বলবো। এই Society ১৮৬১ সালে স্থাপিত হয়। এবং তার আইন প্রণয়ন হয় ১৯২০ সালে। ১৯২৫ সালে কলিকাতা কর্পোরেশন এই Calcutta Society for the Prevention of Cruelty to Animals এর কার্য্য-প্রণালী

সম্বন্ধে তদন্ত কোরে দেখবার জন্য একটা কমিটি নিযুক্ত করেন। সেই কমিটি যা recommend করেন সেটা আমি পোড়ে শুনোচ্ছি। সে recommendations উক্ত কমিটি গভর্ণমেণ্টের কাছেই পাঠিয়েছিলেন। এবং সে recommendations হোচ্ছে—

(*i*) The Society should be a registered body. "It has been brought to their notice that applicants for membership have been refused membership which would not have been possible if the Society was a registered one. Also in view of the fact that the Society is a public body constituted for a public purpose and is carried on by subscriptions raised from the public and by public funds and whose officers have powers to arrest people without warrant, it is imperative that the public should be in a position to obtain information regarding the conduct of the Society which can only be done if the Society is a registered body."

আমি আরেকটু পোড়ে শোনাবো—

(*ii*) There should be more checks on the powers of the Secretary with regard to expenditure of money.

(*iii*) The Agents of the Society should be veterinary men as far as possible. It would be better to have fewer agents with better pay and more sense of responsibility.

এবং আরো অনেক আছে। বোলতে গেলে সময় পাওয়া যাবে না। সেই ১৯২৫ সালে কমিটি নাকি যে recommendation করেন তা আজ পর্য্যন্ত গভর্ণমেণ্ট কার্য্যে পরিণত করেন নাই। Society টা আজ পর্য্যন্ত রেজেষ্টারী করা হয় নাই। তার head হোচ্ছেন একজন ইউরোপীয়ান, তিনি বার বার কোরে অত্যাচার চালিয়ে আসছেন। আগে ছিলেন একজন পুরুষ এখন আছেন একটী মেয়েমানুষ। Society র maladministration এর ফলে ১৯৩০ সালের ১লা এপ্রিল তারিখে carters রা ভয়ঙ্কর riot করে। তারপর থেকেই carters রা এবং general public এবং staff এই Prevention of Cruelty to Animals Society র বিরুদ্ধে খুব agitation করে এবং গভর্ণমেণ্টের কাছে একটা তদন্ত কমিটি নিযুক্ত করার দাবি তোলা হয়। এবং তার ফলে গভর্ণমেণ্ট যে কমিটি নিযুক্ত করেন তার Chairman এর নাম The Hon'ble Mr. Justice H. G. Pearson, K.T. তিনজন ছিলেন তাতে official members তাদের নাম হোচ্ছে—

Mr. P. J. Kerr, Director of Civil Veterinary Department.

Hon'ble S. K. Sinha, I.C.S., Chief Presidency Magistrate, Calcutta.

Mr. F. D. Bartley, C.B.E., I.P., Deputy Commissioner, Police Headquarters.

তাতে non-official members ছিলেন ৩টী তাঁদের নাম বোলবো? (MEMBERS: বলুন, বলুন।)

(1) Mr. W. W. K. Page, Representative of the Society for the Prevention of Cruelty to Animals.

(2) Mr. Durgaprasad Khaitan, M.A., B.L., Representative of the Calcutta Corporation.

(3) Babu Ram Narina Singh, Representative of the Advisory Committee of Carters.

(4) Mr. Razaur Rahman Khan, M.L.C.

(5) Mr. Narendra Kumar Basu, M.L.C.

এই কমিটি যে রিপোর্ট গভর্ণমেন্টকে দেন সেটা খুব বড় সে এখানে পড়বার সময় নেই। তবে কমিটির সব মেম্বরই এ কথা unanimously বোলেছেন—

The administration should be taken over by Government to be worked either under a department of Government or as a branch of Calcutta Police.

এবং তার আর এক জায়গায় আছে—

The status and qualifications of the officer in immediate charge of the administration of the Act should be those of an officer of the Bengal Provincial Veterinary Surgeon.

আর এখন যে lady টী in charge of the Society আছেন তাঁর qualification হোচ্ছে এই যে she was a nurse in a London hospital. রিপোর্টে আরো অনেক কথা আছে আশা করি মিনিষ্টার সাহেব সে সব নিজেই দেখে নেবেন। (The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, how is this relevant?) গভর্ণমেন্ট শুনুন আমি বোলছি (hear, hear.) Sir, আমরা যে ৮১ হাজার টাকা পাঞ্জাব একসচেঞ্জার থেকে দিই, তাহলে সে টাকাটা দোবো না। যদি এ Society টা রেজিষ্টারী না করা হয়।

বর্ত্তমানে Society Government এর ৮১,০০০৲ টাকায় ও public subscription ও donation এ প্রাপ্ত ৪,৫০০৲ টাকায় চলছে। কিন্তু Veterinary College এর Principal Mr. Kerr একটী scheme করিয়া দেখাইয়াছেন যে ৪৯,০০০৲ টাকায় Society ভালরূপ চলিতে পারে।

তারপরে এই Calcutta Society for the Prevention of Cruelty to Animals এর condit ons of service সম্বন্ধে আমি কিছু উল্লেখ করবো। এখানে ডিস্‌মিস্ হোলে employee কোন কারণ চাইতে পারে না। তাদের নিয়মাবলীতে আছে—

Employees whose services are dispensed with suitable notice are not entitled to any reason for their discharge. তিনি ২।১ বার by batch কর্ম্মচারী dismiss করেছেন।

তারপর তাদের leave এর ব্যবস্থাতেও কড়াকড়ির অন্ত নাই। এক বৎসরের মধ্যে privilege leave খুবার কেউ নিতে পারবে না যা কিছু তার হোক না কেন।

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, may I intervene at this stage and say that I am not concerned with the matter under discussion now, and that it is the Home Department which is responsible for it.

Mr. ABUL HOSSAIN AHMED: You must take courage.

তারপর আরো শুনুন সেখানে বাঙ্গালীর কোন অধিকার নাই। মিসেস্ ষ্ট্যানলি নামে যে একটী lady Secretary আছেন তিনি যা ইচ্ছা তাই কোরে থাকেন। "Executive Committee র মেম্বরদের মধ্যে পর্য্যন্ত যাঁরা সেই lady র সাথে একমত হন তারাই

কমিটিতে থাকতে পারেন অন্যদের তিনি তাড়িয়ে দেন। এবং তাঁর এমনি ক্ষমতা যে Mr. C. C. Biswas, C.I.E., Sir Hari Sankar Paul, K.T., Mr. Jitendralal Banerjee, M.L.C., Mr. K. C. Roy Choudhury, M.L.C., Mr. Daud, Barrister-at-Law, Mr. N. N. Sen, D.S.C., P.E.S., এরকম সব লোকও সেখানে membership এ admission পান নাই। কারণ ঐ লেডিটী তাদের নিতে ইচ্ছা করেন না। সকল দিক দিয়েই তাঁর যা ইচ্ছা তিনি তাই করেন।

তারপরে দেখুন এই Society কেবল যে কলিকাতায় আছে তাই নয়। বোম্বেতে আছে, ম্যাড্রাসে আছে, দিল্লিতে আছে এবং করাচিতে আছে। সেখানে কোন সুপারিনটেণ্ডেন্টের মাইনে ও allowance মিলিয়ে ২১৫৲ টাকার বেশী নাই, আর এখানে ঐ লেডিটি পান বেতন ৮০০৲ আর motor allowance ২০০৲ টাকা কিন্তু তাঁর কার্য্য-কলাপ সম্বন্ধে যা নাকি আমি শুনেছি তা বোল্লে এখানে unparliamentary হবে। (Mr. SHAMSUDDIN AHMED: একটু চেপে-চুপে বোলে ফেলুন।) এবং সেই লেডিটী যিনি নাকি Head এ আছে যদি দরকার হয় তিনি বড় বড় সাহেবদের এমন কি লর্ড রিপণকে পর্য্যন্ত নামিয়ে এনেছেন এমন ২।১ বার হোয়েছে। অতএব আমি আশা করি এ বিভাগের মন্ত্রী The Hon'ble Mr. Tamizuddin Khan সাহেব স্বতপ্রবৃত্ত হোয়ে এই Society টার সম্বন্ধে উপযুক্ত ব্যবস্থা অবলম্বন কোরবেন। আমি এখানে একটা কথা স্পষ্টই বোল্লবো, সেটা হোচ্চে এই যে আমাদের মিনিষ্টারদের অনেক ক্ষেত্রেই এই দোষটা আমরা দেখতে পাই যে তাঁরা under compulsion ছাড়া কোন কাজ করেন না (hear, hear). তাই আমার অনুরোধ মন্ত্রীমহোদয় যেন স্বতপ্রবৃত্ত হোয়ে এই কাজটা করেন।

Mr. MAQBUL HOSAIN: I beg to move that the demand of Rs. 6,55,500 under the head "41—Veterinary" be reduced by Rs. 100.

মাননীয় সভাপতি সাহেব, বাংলার পাড়াগাঁয়ের গো-মহিষাদী গৃহপালিত পশুর সংক্রামক রোগ নিবারণ করিবার জন্য বিহিত ব্যবস্থা অবলম্বন করিতে আমি এই ছাঁটাই প্রস্তাব উত্থাপন করিতেছি। বাংলা কৃষিপ্রধান দেশ। এখানকার শতকরা ৯৯ জন লোক চাষাবাদ করিয়া জীবিকা নির্ব্বাহ করে। চাষাবাদের জন্য কোন প্রকারের কলের প্রাদুর্ভাবের ব্যবস্থা না থাকায় গরু, মহিষ প্রভৃতি পশু এ দেশের চাষাবাদের একমাত্র অবলম্বন। বাংলার ধান, পাট ও অন্যান্য শস্য পৃথিবীর বিভিন্ন দেশে রপ্তানী হয়। এমন কি ভারতের অন্যান্য প্রদেশেও বাংলার মুখাপেক্ষি হইয়া থাকে। বাংলার কৃষিজাত দ্রব্য যদি এক দিনের জন্যও অন্যত্র চালান বন্ধ থাকে তাহা হইলে দুনিয়া ভীষন সঙ্কটের সম্মুখীন হইবে। বাংলার পশুকুল মহামারী ও অন্যান্য রোগে দিন দিন হ্রাস প্রাপ্ত হইতেছে। এমন একদিন ছিল যখন বাংলার পশু দুনিয়ার বাজার ছাইয়া ফেলিত। কিন্তু এখন বাংলার এ-দিন কোথায় গেল?

প্রাদেশিক স্বায়ত্বশাসন প্রবর্ত্তনের পর পশু চিকিৎসা বিভাগের কোন উন্নতি হয় নাই। পূর্ব্বকার মন্ত্রীসভার আমলে এই বিভাগের কাজ-কর্ম্ম যে ভাবে চালানো হইত বর্ত্তমানে জনপ্রিয় বলিয়া কথিত হক মন্ত্রীসভার আমলেও ইহার কোন পরিবর্ত্তন হয় না। এই বিভাগের জন্য ১৯৪০-৪১ সনে ব্যয়-বরাদ্দ ধরা হইয়াছে voted ৬,৫৫,৫০০৲ টাকা এবং charged ৩১,৪০০৲ টাকা। তন্মধ্যে কর্ম্মচারীর বেতন, এলাউন্সে A—Superintendence এ ৪৫,৫০০৲ টাকা, B—Veterinary Education and Research এ ৮৯,২২০৲ টাকা, C—Subordinate establishment এ ৭৭,১৫৬৲ টাকা, D—Hospitals and Dispensaries এ ২৪,২১,৩৮৯৲ টাকা, High Commissioner for India ৫,৮০০৲ টাকা। মোট ৪ লক্ষ ৫৯ হাজার ৮ শত ৪ টাকা বর্ত্তমান বৎসরের বাজেটে কর্ম্মচারীদের বেতন allowance প্রভৃতির জন্য খরচ বরাদ্দ করা হইয়াছে। এই টাকা বাদ দিয়া বাকী ২,২৭,১৯৬৲ টাকা, কাপড়, কলম, ইত্যাদি খরচ বাদে যাহা কিছু সামান্য উদ্বৃত্ত থাকিবে তাহা দ্বারা আর কি হইবে?

পশু চিকিৎসা বিভাগের বাজেটে বরাদ্দের টাকা অতি সামান্য। উক্ত টাকা দ্বারা একটি দেশের কাজ করা সম্পূর্ণ অসম্ভব। মন্ত্রীমণ্ডলী যদি কৃষি-কার্য্যের ও বাংলার লোকদের প্রয়োজনীয় পশু বাঁচাইয়া রাখিতে ইচ্ছা করেন তাহা হইলে এই বিভাগের জন্য আরও বেশী বরাদ্দ করা প্রয়োজন। আর যদি তাঁহারা বরাদ্দ বৃদ্ধি করিতে ইচ্ছা না করেন তাহা হইলে এই বিভাগ উঠাইয়া দেওয়াই ভাল। এই সামান্য টাকা দ্বারা যখন দেশের কোন উপকারই হইবে না তখন অনর্থক টাকা খরচ করিয়া কর্ম্মচারী পুষিয়া লাভ কি? মাসাধিক কাল হইতে ত্রিপুরা জেলার কসবা থানার মূলগ্রাম ইউনিয়নে ও অন্য কয়েকটী ইউনিয়নে গো-মড়ক লাগিয়াছে। প্রত্যহ শত শত গরু মারা যাইতেছে। মূলগ্রাম ইউনিয়ন হইতে ব্রাহ্মণবাড়ীয়ার পশু চিকিৎককে সংবাদ দেওয়া হইয়াছিল। অনেক দিন পর পশু চিকিৎসক একদিন হঠাৎ আসিয়া পুনরায় চলিয়া গিয়াছেন। রুগ্ন গরুর চিকিৎসার কোন ব্যবস্থাই করে নাই এবং সংবাদও লইতেছে না। প্রত্যেক বৎসরই এই এলাকায় গো-মড়ক দেখা দেয়। আমার বাসস্থান ঐ এলাকায়। কিন্তু পশু চিকিৎসকের সঙ্গে আমার আজ পর্য্যন্ত সাক্ষাৎ হয় নাই কিম্বা গো-মড়ক লাগিলে পশু চিকিৎসক চিকিৎসা করিয়াছেন বলিয়া শুনি নাই। পশু চিকিৎসকগণ কি করেন না করেন সেই বিষয়ে কেহই খোঁজ লন না, সেই জন্যই তাঁহারা চিকিৎসা সম্বন্ধে এমন উদাসীন। তাঁহারা মনে করেন যে পরিশ্রম করিয়া পাড়াগাঁয়ে দৌড়াদৌড়ি না করিয়া সহরে বসিয়া বসিয়া চাকুরি করাই ভাল। পরিশ্রম না করিয়া টাকা পাইলে কে পরিশ্রম করিতে চায়?

প্রতি থানায় একটী করিয়া পশু চিকিৎসালয় স্থাপন করিলে পশু চিকিৎসার কতক সুবিধা হইতে পারে। ভারপ্রাপ্ত মন্ত্রীমহোদয় গত বৎসরের বাজেট বক্তৃতায় বলিয়াছিলেন "এ পরিকল্পনা কার্য্যে পরিণত করিতে হইলে টাকার প্রয়োজন। এত টাকা পাওয়া যাইবে কোথা হইতে?" এই কথা বলিয়া হয় ত এ বৎসরও তিনি আমার suggestion এর বিরুদ্ধাচরণ করিবেন। আমি বলি কাজ করিবার ইচ্ছা থাকিলে টাকার অভাব হয় না। পুলিশ বিভাগ, শাসন বিভাগ প্রভৃতির জন্য টাকা পাওয়া যায় কোথা হইতে। "Bengal Weekly", "বাংলার কথা," "আজাদ" প্রভৃতি পত্রিকা ও মহাভারতের অনুবাদের জন্য টাকা দিবার বেলায় টাকা আসে কোথা হইতে? পাটের রেকর্ড তৈরীর জন্য কেন ৭½ লক্ষ টাকা অনর্থক খরচ করা হইল? প্রতি বৎসর একজনের স্থলে পাঁচজন কর্ম্মচারী রাখিয়া কর্ম্মচারীর সংখ্যা বৃদ্ধি করা হইতেছে কেন? এই সমস্ত ব্যয় বাহুল্য কমান হউক। তবেই টাকা পাওয়া যাইবে। মোটের উপর ঐকান্তিক আগ্রহ নিয়া কাজে নামিলে কোন কাজই টাকার জন্য আটক থাকে না। গো-মহিষ প্রভৃতি পশুকে বাঁচাইয়া রাখিতে হইলে ও তাহাদের সংখ্যা বৃদ্ধি করিতে হইলে তাহাদের খাদ্যের ব্যবস্থা করা আবশ্যক। বাংলার লোলুপ জমিদারগণ তাঁহাদের ভোগ-বিলাসের সুবিধার জন্য পতিত ভূমিসমূহ খাজনা লইয়া বন্দোবস্ত দিয়া গো-গ্রাসের ভয়ানক ক্ষতি করিয়াছে। পশুচারণ ভূমি, নাল জমিতে পরিণত হওয়ায় পশুর খাদ্যের অভাব হইয়াছে। যে সমস্ত পতিত জমি বন্দোবস্ত দেওয়া হইয়াছে ঐ গুলির বন্দোবস্ত রদ করিয়া পতিত রাখিতে হইবে।

আজকালও বাংলাদেশে অনেক পতিত বিল ও জলাভূমি আছে। পূর্ব্বে ঐ সমস্ত বিল ও জলায় প্রচুর ঘাস হইত। কিন্তু কচুরীপানার আবির্ভাবের পর ঐ সমস্ত স্থানের ঘাস নষ্ট হইয়া গিয়াছে। এই সমস্ত স্থানে ভাল ঘাসের চাষ করিতে হইবে। এইভাবে পশুর খাদ্যের ব্যবস্থা করিতে হইবে।

Srijut ASHUTOSH MULLICK: Sir, I beg leave to move the motion which stands in the name of Dr. Nalinaksha Sanyal that the demand of Rs. 6,55,500 under the head "41—Veterinary" be reduced by Rs. 100.

Sir, Government Veterinary Department এর জন্য যে টাকা মঞ্জুর করার জন্য মন্ত্রীমহোদয় Assembly তে উপস্থিত কোরেছেন সেটা Veterinary treatment এর

principle অনুযায়ী হয় নাই। কারণ, মানুষের চিকিৎসার জন্য যে টাকার বরাদ্দ হোয়েছে পশু চিকিৎসার জন্য অন্ততঃ তার চার-পুণের বেশী পরিমাণ টাকা বরাদ্দ করা উচিত ছিলো। এ বিভাগটার চর্বিত চর্বণ অবান্তর নয় সেইজন্যে আমি বোলতে চাই—এ বিভাগের খরচের জন্য যে টাকার বরাদ্দটা এসে হাউসের সম্মুখে হাজির হোয়েছে সেটা গভর্ণমেণ্টের অনহিতকর অনেক বিভাগের ন্যায় অন্যায়, অকিঞ্চিৎকর, অপ্রচুর ও অবাঞ্ছনীয়। এ বিভাগের কর্ণধারগণ যেভাবে কার্য্য পরিচালনা করেন তাতে আমার মনে হয় এ বিভাগের জন্য বরাদ্দের টাকাটা একেবারে নির্ম্মূলভাবে ছাঁটাই কোরলেও কিছু অশোভন হবে না। কারণ এ বিভাগটার কর্ম্মপদ্ধতি দ্বারা কোন উপকারই হয় না। হয় তো বিলাসপ্রিয় ইংরেজ মহিলার ক্রোড়-সুশোভন প্রিয়দর্শন কুকুরটীর অথবা সৌখীন য়ুরোপীয়ান ভদ্র লোকের প্রিয় সহচর কুকুরটার ব্যাধির জন্য এ বিভাগটার স্থায়িত্বের প্রয়োজন থাকতে পারে, হয় তো কৌতুকপ্রিয় প্রধান মন্ত্রী মহাশয়ের বিদ্যুৎবেগবান বিজয়ী কুকুরের ব্যাধির জন্য এর প্রয়োজন থাকতে পারে; হয় তো অর্থগৃধ্নু ধনীর race এর ঘোড়ার ব্যাধিতে এর প্রয়োজন থাকতে পারে, কিন্তু এর দ্বারা দ্বন্দ্বপ্রিয় দ্বিগু কৃষকের মুমূর্ষু গোরুর জন্য, অশীতি বর্ষেও শিশু গোয়ালার চারু গাভীটীর কিম্বা তার দুগ্ধ পিপাসু বৎসটীর জন্য, অর্থলিপ্সু ছাগপালকের অসংখ্য প্রসূ ছাগীর বা তার মুমূর্ষু ছাগ-শিশুর জন্য, নির্বোধ মেষ-পালকের গড্ডলিকাপ্রিয় ভীরু মেষের জন্য, সহিষ্ণু রক্তকের কষ্টসহিষ্ণু গর্দ্দভের জন্য, অনুসন্ধিৎসু শিকারীর জিঘাংসু কুকুরের কিম্বা নির্জ্জনতাপ্রিয় পল্লীবাসেচ্ছু গৃহস্থের প্রভুভক্ত বুভুক্ষু কুকুরের জন্য কিংবা মরুবাসী ভারবাহী উষ্ট্র প্রভৃতি কোন পশুর জন্যই এ বিভাগটার প্রয়োজনীয়তা আছে বোলে মনে হয় না। তাছাড়া এ বিভাগের সাহায্য লাভ কোরতে হোলে যে উপায় অবলম্বন করবার পর সেই অঘটন সংঘটনের সম্ভাবনা হয় তাতে কোরে এ বিভাগটী, আমার মনে হয়, আরো বেশী নিষ্প্রয়োজন।

এখন আমি সেই সাহায্যলাভের বিধানটা বিবৃত কোরছি। গ্রামে মড়ক উপস্থিত হোলে গ্রামের মাতব্বরের অনুগ্রহে সর্ব্বাগ্রে ইউনিয়নের প্রেসিডেন্টের অনুমোদন লাভ কোরে সদর মহকুমায় দরখাস্ত পেশ কোরতে হবে। তারপর সেটা ডাক্তারের tour programme এ ক্রমিক দাবির অন্তর্ভুক্ত হোলে পর ১০।১২টা থানার মালিক, তৎপর পশু চিকিৎসক মহাশয় যখন গ্রামে গিয়ে উপস্থিত হন তৎপূর্ব্বেই গ্রাম থেকে মড়ক পলায়ন করে সত্য, কিন্তু গ্রামটী একেবারে গোশূন্য কোরে দিয়ে যায়। চিকিৎসকের আর ঔষধ প্রয়োগ করার প্রয়োজনই হয় না। তারপর ডাক্তার ভাগাড় পর্য্যবেক্ষন কোরে অস্থির পরিমাণ থেকে মৃত গোরুর আনুমানিক একটা সংখ্যা তালিকা প্রস্তুত করেন এবং সঙ্গে সঙ্গে মিথ্যা ওজুহাত ও কৈফিয়ৎ দ্বারা চাকরী বজায় রাখেন। Veterinary বিভাগের দরকারের অনুপাতে বাজেটে টাকার বরাদ্দ ধোরে বিভাগটার উন্নতি সাধন করা বর্ত্তমানে তো সম্ভব নয়ই অদূর ভবিষ্যতেও নয় এমন কি সুদূর ভবিষ্যতেও নয়। কারণ যারা সত্যাগ্রহ কোরতে পারে, আন্দোলন চালাতে পারে, যারা অনুনয়, বিনয় ও প্রার্থণা কোরতে পারে, যারা চাঁদা তুলতে পারে, প্রতিষ্ঠান গোড়তে পারে, যারা ভোট দিতে পারে বক্তৃতা কোরতে পারে এবং মন্ত্রী মণ্ডল গঠন কোরতে পারে, তাদের চিকিৎসার জন্য যেখানে homeopathic dose এরও কোন ব্যবস্থা হোতে পারে না, সেখানে নিরীহ, নিরন্ন কৃষকের গৃহপালিত গো-বেচারীর চিকিৎসার জন্য ব্যবস্থার চিন্তা করা বিকৃত মস্তিষ্কের পক্ষেই সম্ভব। আজ হৃদয়বান ব্যক্তিবর্গের দৃষ্টি কৃষকের প্রতি আকৃষ্ট হোয়েছে কিন্তু চাষীর একমাত্র গো-জাতির প্রতি কাহারো লক্ষ্য পড়ে না।

Mr. Deputy Speaker, Sir, এখানে মাননীয় Speaker মহোদয় উপস্থিত নেই, তিনি যে Man behind the Plough নামক বিরাট গ্রন্থ প্রণয়ন কোরেছেন তাতে তিনি লাঙ্গলের পশ্চাৎগামী জীবটীর প্রতিই তাঁর সুতীক্ষ্ণ দৃষ্টি নিবদ্ধ কোরেছেন মাত্র,—অগ্রগামী জীব যুগলের বিশেষ কিছু খবর নেবার অবসর পান নি। তাঁর অমর লেখনী লাঙ্গলের

পশ্চাদ্ধাবমান ব্যক্তির মঙ্গল কামনা নিয়েই ব্যস্ত কিন্তু তার সঙ্গে [illegible], সংশ্লিষ্ট বহুবিধর্ম্মবোধের বিষয় গৌণ ভাবেও উল্লেখ কোরছেন কি না সন্দেহ। আমার আজ তাঁকে এই অনুরোধ কোরতে ইচ্ছা হয় যে তিনি যেন Being in front of the Plough নামক একটা নূতন অধ্যায় তাঁর গ্রন্থের দ্বিতীয় সংস্করণে যোগ করেন অথবা উক্ত বিষয়টী অবলম্বন কোরে পৃথক একখানা গ্রন্থ রচনা করেন। তবেই লাঙ্গলের প্রকৃত স্বরূপের পরিচয় দেওয়া হবে, এবং দেশেরও প্রভূত কল্যাণ সাধিত হবে।

আমি এখন গো-জাতির উন্নতিকল্পে কয়েকটী পরিকল্পনা উপস্থিত কোরছি।

প্রথমতঃ, এই বিভাগের জন্য যত টাকা অপব্যয় না কোরে সদ্ব্যয় ও মিতব্যয় করবার বন্দোবস্ত কোরতে হবে:—যথা, সাধারণতঃ দেখা যায় গো-মোহিষাদির যে সকল ব্যাধি তার শতকরা ৯০টীই হোচ্ছে পানীয় ও খাদ্যাভাবজনিত। সেইজন্য তাদের চিকিৎসার বন্দোবস্ত করা অপেক্ষা তাদের জন্য উপযুক্ত খাদ্য সংস্থানের ব্যবস্থা করাই সর্ব্বাগ্রে প্রয়োজন এবং তার জন্য চাই পর্য্যাপ্ত পরিমাণে গো-চারণ ভূমি এবং সঙ্গে সঙ্গে নানা জাতীয় ঘাসের চাষ প্রচলন করার ব্যবস্থা। বিশেষ কোরে পশ্চিম বঙ্গে গোরুর জন্য পানীয় জলের সুব্যবস্থা চাই। দ্বিতীয়তঃ, কৃষককে উপযুক্তভাবে গো-পালন বিষয়ক শিক্ষা দিতে হবে। সে তার পালন-যোগ্যতার অতিরিক্ত সংখ্যক গোরু যাতে না রাখতে পারে সে বিষয়ে বিশেষ লক্ষ্য রাখতে হবে। সঙ্গে সঙ্গে এ কথাও ভুলে গেলে চোলবে না যে গৃহহীন কৃষকদের গ্রামে গ্রামে স্বাস্থ্যকর গো-শালা নির্ম্মান কোরে দেওয়া দরকার। জরগ্রস্ত পীড়িত গোরু, বন্ধ্যা গাভী প্রভৃতি অকর্ম্মণ্য শ্রেণীর গো-জাতির জন্য গভর্ণমেণ্টের তরফ থেকে পিঁজরা পোলের ব্যবস্থা হওয়া দরকার। তৃতীয়তঃ, চিকিৎসার জন্য বৈদেশিক পন্থায় বৈদেশিক ঔষধের প্রয়োগ একেবারে বাদ দিয়ে স্থানীয় গো-বৈদ্যগণের দ্বারা স্বচ্ছন্দ বনজাত গাছ গাছড়ার সাহায্যে সুলভ চিকিৎসার ব্যবস্থা কোরতে হবে। তারপর যদি প্রয়োজন হয় গো-বৈদ্যদের জন্য Faculty Board of Recognition এর ব্যবস্থা কোরে recognised গো-বৈদ্যের আমদানি কোরতে হবে। মানব চিকিৎসার জন্য এলোপ্যাথি, হোমিওপ্যাথি ও আয়ুর্ব্বেদ প্রভৃতির Faculty ছাড়া যখন কাজ চলে না তখন গো-বৈদ্যেরই বা Faculty না হবে কেন?

আমার এর পরের প্রস্তাব হোচ্ছে এই যে প্রতি ইউনিয়নে অন্ততঃ একজন কোরে শিক্ষিত গো-বৈদ্যকে compulsory ভাবে নিযুক্ত করার জন্য আদেশ দিতে হবে। আমার মনে হয় তাতে ব্যয়ও খুব সংক্ষেপ হবে এবং কাজও অপেক্ষাকৃত ভালো হবে।

এ যাবৎ আমরা এইটে লক্ষ্য কোরে আসছি যে মন্ত্রীমণ্ডল opposition এর পক্ষ থেকে কোন প্রকার suggestion গ্রহণ কোরে তাঁদের অক্ষুন্ন মর্য্যাদা ক্ষুন্ন কোরতে মোটেই রাজি নন। সুতরাং আমাদের পক্ষে এসব করার মানে—"অরণ্যে রোদন, অথবা উলুবনে মুক্তা ছড়ানো"। হয় তো মন্ত্রীমণ্ডল বিবেকের দ্বারে এমন সুদৃঢ় লৌহ কবাট ছেনে দিয়েছেন যা নাকি coalition member দের অনুনয় বিনয়রূপ মৃদু করাঘাতে কিংবা opposition member দের বজ্র-নির্ঘোষ বক্তৃতার অশনিপাতে উদ্ঘাটিত হয় না। অথবা উভয় স্থলে হয় তো তাঁদের স্বেচ্ছা বা অনিচ্ছাকৃত উপেক্ষাই বিদ্যমান।

যা হোক, আমার ধারণা এই যে পশু চিকিৎসা বনাম গো-চিকিৎসা সমস্যার ব্যাপারে গভর্ণমেণ্টের স্বপক্ষ,—coalition; তাদের বিপক্ষ,—opposition; সুহৃদ পক্ষ—ইংরেজ; তটস্থ পক্ষ—scheduled castes—সকলেই এক মত হবেন। ট্যাক্সপ্রিয় গভর্ণমেণ্ট, কৌতুক-প্রিয় প্রধান মন্ত্রী, গঠনাত্মকপ্রিয় মন্ত্রীমণ্ডল, শোষনপ্রিয় ইংরেজ, লোকপ্রিয় ও জাতিরক্ষাপ্রিয় কোন সদস্যেরই গো-জাতিকে বাদ দিয়ে চলে না। অতএব আমার suggestion গ্রহণ করবার জন্য সভ্য মহোদয়গণকে সনির্ব্বন্ধ অনুরোধ কোরছি; এবং গভর্ণমেণ্টের New Policy of Provincialisation of District Veterinary Staff এর পরিবর্ত্তে Nationalisation of Veterinary Department করার জন্য তাঁদের অনুরোধ কোরছি।

Khan Bahadur Maulvi JALALUDDIN AHMAD: Sir, the subject is of very great importance, although some members opposite and members on this side have dealt with it humourously. They have drawn amusing sketches of the condition of cattle population compared to the very inadequate provision made for this department.

I owe a responsibility to myself as a member of the party in power and to the Ministry for its popularity and success to say that I should be as critical of the Government policy as the party opposite, because after all the success of many schemes formulated by Government reflects credit or blame on each of us according to their success or failure. So, it is not the question of members of the Opposition alone but of the members belonging to the Government party as well to say when the Ministry is wrong and what should be done. For this reason, Sir, I think I should say—although I belong to the ministerial party—that very little attention has been given to this department, although one of the programmes of our Government is the amelioration of the condition of the agricultural masses. "Agriculturists" has been described in his book by the Hon'ble the Speaker, namely, "The man behind the plough" and they are the backbone of the province. The cattle population are their mainstay, but what is the provision and demand for their improvement? The amount that has been allotted is only Rs. 6 lakhs and odd, out of which about Rs. 4 lakhs have been allotted to superintendence, establishment and subordinate staff and such like things. Many districts are to be provided with a network of veterinary dispensaries and the allotment is a little over Rs. 2 lakhs for hospitals and dispensaries. Sir, I come from a district where there are only three veterinary dispensaries, and you will be surprised to hear that there is only one dispensary in the constituency which I represent and which comprises an area of about 850 square miles intersected by rivers, channels, etc., with the result that every year there is a recurrence of epidmics. This condition of affairs is persisting there without any remedy. If a cattle census is taken, as I understand it is going to be done, it will show that the cattle of that district have not only deteriorated but also dwindled to one-half of its former strength, and cattle disease is on the increase. The reason advanced is want of nourishment. Of course it is a question to be considered for the Agricultural Department. But I find that the Minister in charge of this department is accidentally also Minister in charge of Agriculture, and I think that a scheme should be mooted by him as to how the cattle population of Bengal can be improved and increased and they may compare favourably with the cattle of Bihar or the Punjab. Some members on the other side said that there should be ample provision for their fodder. This is a question to which we have repeatedly drawn attention of the Minister in charge of the Forest Department for releasing forest for pasture ground and grazing.

I do not know, Sir, whether for this demand of Rs. 6 lakhs and odd our present Minister is responsible or not, but I feel that our Minister should press for a larger demand and when he visualises the gravity of the situation, he should assert himself. I know that one hospital has been opened at Mathabanga and another in the Barisal district, but there are other districts as well which have requested that more hospitals and dispensaries should be established and more veterinary assistants should be appointed. In spite of this, I do not know why this department has been so much neglected. The provision made in this year's budget will not suffice for the needs of the whole province.

With these words, Sir, I take my seat.

Mr. SYED AHMED KHAN: Mr. Speaker, Sir, ভেটেরিনারি ডিপার্টমেন্টের আলোচনা প্রসঙ্গে অনেকে অনেক কথা বোলেছেন। তবুও আমি এইমাত্র বোলতে চাই যে কৃষকের প্রধান সম্বল গোরু। গোরু যদি স্বাস্থ্য না রক্ষা কোরতে পারে তাহোলে এ দেশের জনসাধারণ, কৃষক, প্রজা, রাজা, মহারাজা, ধনিক, বনিক, ব্যবসায়ী, ব্যাঙ্কার এমন কি আমাদের মন্ত্রী মহোদয়গণ পর্য্যন্ত এক মিনিটও বাঁচতে পারে না। কারণ গোরু হাল চাষ কোরে যে ফসল উৎপন্ন কোরে দেয় সেই ফসল খেয়ে, এবং গোরুর দুধ খেয়েই মানুষ বেঁচে আছে। কিন্তু যে ভাবে বছর বছর গো-মড়ক লেগে পাড়াগাঁয়ের গোরু সব মোরে যাচ্ছে এই ভাবে আরো কিছু দিন চোললে দেশ গোরুশূন্য হোয়ে যাবে এবং তখন হয় তো মানুষের দ্বারাই হাল চাষের বন্দোবস্ত কোরতে হবে। (laughter.) আমি বলি, যদি এ দেশের কৃষক, প্রজা, জনসাধারণ, এক কথায় সকল মানুষকেই বাঁচিয়ে রাখবার ইচ্ছা যদি গভর্ণমেণ্টের হয় এবং যদি গভর্ণমেণ্টের নিজেরও এ দেশে টিকে থাকবার ইচ্ছা থাকে তাহলে সকল মানুষের রক্ষক যে গোরু সেই গোরুকে সকলের আগে গো-মড়ক দূর কোরে বাঁচার বন্দোবস্ত কোরতে হবে। নৈলে সমস্ত মানুষ গোরু হোয়ে যাবে। (Laughter.) কেন গোরু হবে কারণ তখন মানুষ পশুতে পরিণত হবে। যদি মানুষ খেতে না পায়, পোরতে না পায়, যদি জীবন ধারণ করবার কোন জিনিষ সে না পায় তাহলে সে কি মাটি খেয়ে বাঁচবে? (A MEMBER OF THE COALITION BENCHES: কেন ঘাস খেয়েই বাঁচবে। (Laughter.) তখন মন্ত্রীদের হাসি শুকিয়ে যাবে, গভর্ণমেণ্টের সিংহাসন টলমল কোরবে। এখন কথা হোচ্ছে এই যে এই রকম দরকারী জীব যে গোরু, যে গোরু সর্ব্ব মানুষের রক্ষাকারী, সেই গোরুকে রক্ষা করবার জন্য গভর্ণমেণ্ট আজো পর্য্যন্ত কোন বন্দোবস্তই কোরছেন না। এক একটা মহকুমার ১০।১২টা থানার উপর একজন মাত্র পশু চিকিৎসক রাখা হয়—তিনি কেবল ফূর্ত্তি কোরে ঢাকা, কলিকাতা ঘুরে বেড়ান। এদিকে কার বা পশু কে বা দেখে। ফলে হাজার হাজার পশু—গোরু, মহিষ, ছাগল মোরে যাচ্ছে। এ দেশে কলের লাঙ্গলের বন্দোবস্ত হয় নাই, অথবা কৃষিকার্য্যের জন্য অন্য কোন বৈজ্ঞানিক উপায়ের ব্যবস্থাও গভর্ণমেণ্ট এ পর্য্যন্ত প্রবর্ত্তন করেন নাই। কৃষকের কৃষিকার্য্যের একমাত্র সম্বল গোরু, সে গোরুও মড়ক লেগে মোরে যাচ্ছে। আমাদের নোয়াখালি জেলার খাসমহলের চর অঞ্চলে মড়ক লেগে হাজার হাজার গোরু মোরে সাফ্ হোয়ে যাচ্ছে, আজ চিন্তাশীল হিন্দু সমাজ বীরদর্প করে,—কোরবানীতে আমরা একটা গোরু জবাই কোরলে সবাই তারা ক্ষেপে যায়, গোরু জবাই করা হোয়েছে বোলে; কিন্তু লক্ষ লক্ষ কোটি কোটি গোরু যে মড়কে মোরে যাচ্ছে সে সম্বন্ধে সে সমাজও উদাসীন।

আবার বিলাসের দিক দিয়েও গোরুর স্বাস্থ্য ভাল না থাকলে চোলতে পারে না। পোলাও, কোরমা, কোপ্তা, কালিয়া, কাবাব, শিরনী, কিরনী, পুডিং, ক্রীম ইত্যাদি বিলাসীদের খাবার রুচে, ঘি, দুগ্ধ, মাখন, ছানা প্রভৃতি ব্যতীত হইতে পারে না—এ সমস্তই গোরুর স্বাস্থ্যের উপর

নির্ভর করে। আর এসব জিনিষ যদি উৎপন্ন না হয় মিনিষ্টারদের পার্টি দেওয়া চোলবে না। গভর্ণরের পার্টি পর্য্যন্ত অচল হোয়ে যাবে যদি গোরুর দিকে দৃষ্টি দিয়ে তাদের স্বাস্থ্য ভালো করার বন্দোবস্ত না করা হয়। আমাদের নোয়াখালি জেলায় লক্ষ্মীপুর, রায়পুর, রামগতি, বেগম-গঞ্জ, সদর, হাতিয়া, সন্দীপে, খাসমহালে এবং চর অঞ্চলে গো-মড়ক খুব বেশী। গভর্ণমেণ্ট খাসমহল থেকে নানা রকম অত্যাচার অবিচার কোরে খাজনা আদায় করেন কিন্তু সেখানকার কৃষকদের শেষ সম্বল গোরু। সেই গোরুই যদি মোরে যায় তাহলে তারা চাষ-বাস যে কোরতে পারে না সেদিকে গভর্ণমেণ্ট মোটেই দৃষ্টি দেন না। তা ছাড়া তাদের ফসল যে রক্ষা হয় না, সমস্তই প্লাবনে ডুবে যায় তারও কিছু প্রতিকার গভর্ণমেণ্ট করেন না অথচ সমস্ত খাসমহল জুড়ে খাজনা বাকির জন্য প্রজার সমস্ত জমিন ৫ এক পয়সা মূল্যে নিলাম কোরে নিয়ে যায়, যত টাকাই দাবী হোক না কেন? এবং তারপরও প্রজার ঘাড়ে সমস্ত দাবি থেকে যায় তাহলে body warrant পর্য্যন্ত দিয়ে সেটা আদায় করা হয়। প্রজা-দরদী মন্ত্রীদের কাছে এ বিষয়ে অভিযোগ উপস্থিত করা হোয়েছে, যদিও মন্ত্রী সাহেবরা সব সময় মুসলমানের স্বার্থের কথা, প্রজার স্বার্থের কথা বলেন, কিন্তু নোয়াখালি জেলার শতকরা ৯০ জন প্রজাই মুসলমান। সেখানে মুসলমানদের উপর যে খাসমহলের অত্যাচার চোলেছে, বহু মন্ত্রী সেখানে গিয়েছেন, বহু আবেদন নিবেদন তাদের কাছে করা হোয়েছে কিন্তু প্রজার এই সব দুঃখ দুর্দ্দশার দিকে মন্ত্রী মহোদয়রা দৃষ্টিপাত করেন নাই। এ বিষয়ে সত্বরেই কি করা উচিত মিনিষ্টারগণ এখন থেকেই চিন্তা করুন। Sir, যে ভাবে গো-মড়কে এ দেশ গোরুশূণ্য হোয়ে যাচ্ছে তার প্রতিকার যদি না করা হয় প্রত্যেক ইউনিয়নে ইউনিয়নে গো-মড়ক নিবারণের জন্য যদি পশু চিকিৎসক নিযুক্ত না করা হয় তাহলে অচিরেই এ দেশ রসাতলে যাবে। গো-জাতির খালি চিকিৎসার বন্দোবস্ত কোরলেই চোলবে না; তাদের খাদ্যের ব্যবস্থাও কোরতে হবে। গোরুর খাদ্যের আজ একান্ত অভাব, গো-চারণ ভূমির অভাব। এগ্রিকালচার বিভাগ আমাদের বোলে থাকেন নেপিয়ার ঘাস কোরতে। কিন্তু গো-চারণের যে ভূমি নাই তার ব্যবস্থা গভর্ণমেণ্ট কিছুই করেন না। লর্ড লিনলিথগো যে বড় বড় দামড়াগুলো দিয়েছিলেন সে সব ষাঁড় আজ কোথায়? খালি রাজদরবারে বোসে বোসে বিলাস ব্যসন কোরলেই চোলবে না। মন্ত্রী মহোদয়গণের এবং গভর্ণমেণ্ট অফিসারগণের কৃষকদের ঘরে ঘরে যেয়ে গ্রামে গ্রামে এগ্রিকালচারাল বিভাগ খুলে আজ কৃষকদের রক্ষা করা কর্ত্তব্য। নৈলে সমস্ত রাজ্য ধ্বংশ হোয়ে যাবে। গভর্ণমেণ্ট যদি কৃষকদের রক্ষার জন্য, গোজাতির রক্ষার জন্য অবিলম্বে অগ্রসর না হন তাহলে দেশের অবস্থা প্রতিকারের বাইরে চোলে যাবে। সেইজন্য আমি মন্ত্রী মহোদয়ের কাছে এই অনুরোধ কোরছি যে প্রত্যেক জেলার প্রতিটী ইউনিয়নে অন্ততঃ একজন কোরে পশু চিকিৎসকের বন্দোবস্ত কোরবেন।

Maulvi MUHAMMAD ISRAIL: Sir, I beg to draw the attention of Government to one point only and that is the provincialisation of the veterinary assistants. Previously, veterinary assistants were under the charge of district boards. These veterinary assistants did both epidemic as well as hospital work. Now the Government of Bengal has provincialised these veterinary assistants and they have been set apart only for epidemic duties. These people are drawing salary without doing any duty whatsoever during normal times. Sir, epidemic comes only once or twice a year. So long as there is no epidemic these people absolutely do nothing. Moreover, the number of veterinary assistants at present is very small but if a veterinary assistant has one dispensary attached to him he can do hospital work when there is no epidemic in that area. Under the present scheme

district boards have withdrawn all the instruments and medicines which they used to supply and these people are now sitting idle in their own area without doing any work whatsoever. It has been brought to my notice that many people go to the veterinary assistants for treating their animals during normal times, but unfortunately they have to refuse all these cases, because they have neither instruments nor medicines. Neither the Government nor the district board are supplying them with these things. My point is that Government instead of increasing the number of dispensaries have on the contrary reduced them. By their new policy they are simply maintaining these veterinary assistants without extracting any work whatsoever from them. Now, even in a big district like Mymensingh there are, I think, in the subdivision of Kishoreganj, only two veterinary assistants but there is no dispensary so that both the veterinary assistants are sitting idle. In the whole district, I am told, there are only two dispensaries. We want that there should be one dispensary in each police-station, but instead of one dispensary in one subdivision, in Mymensingh alone there are only two dispensaries. So my suggestion to Government will be that the provincialisation of veterinary assistants is doing no good, rather it is a mere waste of money. Government may reply that during the epidemic time these people, if they are kept on normal duties, will not be able to cope with the situation, but it is not true. So far as malaria, etc., are concerned, the district boards have kept their own doctors and when there is epidemic, Government supplement them by appointing new doctors to cope with the unusual situation that arises. So my suggestion here also will be that for these veterinary assistants Government should first try to establish dispensaries at least one dispensary in each veterinary circle, and then if there is epidemic Government should appoint fresh hands to cope with the situation. So I hope the present arrangement of Government should be withdrawn and they should go back to the arrangement that was in vogue, that is, they should try first to establish one veterinary dispensary in each union and then in each of the police-stations.

Mr. MIRZA ABDUL HAFIZ: Sir, while opposing the cut motion moved by my friend in the opposite I beg to be permitted to ventilate some grievances of the department. The number of the veterinary doctors are very limited and so also the veterinary dispensaries in the country. In consequence when any cattle epidemic breaks out it becomes very very difficult for the dispensaries of the locality to meet the situation. If a census of the death of cattle per year be taken I think it would be undoubtedly very shocking to all. So I beg to submit that the number of the veterinary dispensaries be increased to a great number and the number of seats of students in the Veterinary College be increased also to a great extent.

Next, Sir, I draw the attention of the Government to the maladministration of the Calcutta Society for the Prevention of Cruelty to Animals. To this society there is a Government grant of Rs. 81,000 every year and this society was started some 80 years back. But unfortunately it is not yet registered. The present Secretary and Superintendent has got no qualification for the department as is known and still she draws a heavy sum of Rs. 1,000 per mensem. Her will reigns supreme there as far as can be known. The Muslim grievances with respect to service have been there all the time that the department has been undertaken by the present Secretary. Formerly there were 50 per cent. Muslims, now only 21 per cent. Formerly, for her whimsical works the Pearson Committee was constituted with a distinguished High Court Judge as its Chairman, after whose name the committee was named. The inquiry was duly made and report was submitted without any effect through the machination of some interested person. However, it is high time now to give effect to some of the valuable suggestions made there in the report.

Further, may I ask the Government whether any audit of the accounts was made by the Government of this society where an amount of Rs. 81,000 grant is given every year? If it is not made, then is it not a calumny to Government which is indifferent to the fact whether the money kept in its custody by the poor rate-payers is misappropriated or not?

I want a definite answer from the Government on the floor of this House and want to know what steps Government wishes to take in this matter.

The Hon'ble Mr. TAMIZUDDIN KHAN: Mr. Speaker, Sir, as regards the point raised by my friend Mr. Abul Hossain Ahmad, I would dispose of it very shortly by saying that the administration of the Society for the Prevention of Cruelty to Animals is the concern of the Home Department and not of the Agricultural Department. The money is found from the budget of the Department of Agriculture but the administration is with the Home Department. Cruelty to animals is an offence and the Agricultural Department does not generally deal with any offence. Perhaps that is the reason why the Home Department or rather the Police Department deals with this matter.

Maulvi ABDUL WAHAB KHAN: What about cruelty to the employees!

The Hon'ble Mr. TAMIZUDDIN KHAN: As regards the other points raised, criticisms have been directed generally in two directions. First of all, it has been said that nothing or very little is being done

for the cattle population of Bengal. That is one set of criticisms. Another set of criticisms is to the effect that the provincialisation of the veterinary staff has not been a move in the right direction. I would like to deal with these two points. First of all, Government are trying to tackle the cattle problem from these three points of view, viz., improvement of the breed (that is point No. 1), looking after the health of the cattle (that is point No. 2) and the improvement of fodder (that is point No. 3).

So far as the improvement of breed is concerned, that question was discussed the other day also and the members of the House are aware of the fact that the cattle improvement scheme is now in operation in as many as 23 districts. Fifteen hundred stud bulls have been distributed throughout the length and breadth of the country. That raises laughter, but none of my friends have suggested how otherwise the breed of the cattle can be improved. In the absence of any such suggestion, I think my friends have no right to adversely criticise the step which the Government have taken. That step has been a move in the right direction and that has already borne very good fruit, although I admit that in the district from which my friend Mr. Syed Ahmad comes the scheme has not proved to be a success. The blame must lie with those who, it was expected, would derive benefit from that scheme, and I hope my friend Mr. Syed Ahmad will be answerable for that.

Rai HARENDRA NATH CHAUDHURI: For disposing of them?

The Hon'ble Mr. TAMIZUDDIN KHAN: As regards the scheme of provincialisation, I should like to mention what the state of things was before provincialisation was made. In those days, the district veterinary stuff as now, was divided into two classes—itinerant staff and stationary staff. The stationary assistant surgeons were supposed to be in charge of dispensaries and the itinerant staff were supposed to be doing epidemic duty. But in actual practice, the stationary staff were also required to do the duty of the itinerant staff and the itinerant staff were also required to do duties in connection with dispensaries.

Rai HARENDRA NATH CHAUDHURI: How?

The Hon'ble Mr. TAMIZUDDIN KHAN: That was the previous arrangement, and the control was dual. The district boards used to pay two-thirds of the cost on account of pay and other allowances of the staff and Government used to pay one-third. On account of dual control, when an epidemic arose in any part of the country, it was

very difficult to tackle it for the simple reason that the district boards would not easily release the doctors in charge of dispensaries, for epidemic work. That was a great drawback.

(Here there was an interruption from a member of the Coalition Party.)

I am now explaining the situation that existed before. Whether you approve of that or not is a different question.

Government saw the disadvantage of this. What Government have done now is this. In accordance with the recommendation of the Cattle Conference that was held, I think, in the year 1937——

Mr. JOGESH CHANDRA GUPTA: Cattle Conference in the Maidan!

The Hon'ble Mr. TAMIZUDDIN KHAN: The Cattle Conference of men and not of cattle called to consider questions connected with cattle. The arrangement now is this. The itinerant staff have been provincialised. Government have taken the entire responsibility for the itinerant staff and the district boards have been relieved of the burden that they used to bear by paying two-thirds of the pay and allowances of the itinerant staff. As many as 104 veterinary surgeons have been provincialised in this way.

Then, Sir, so far as the dispensary work is concerned, that work has been entrusted entirely to the district boards. At present Government have no responsibility for establishing or looking after dispensaries. But as soon as this scheme was launched, almost all the district boards raised their voices of protest and pointed out various difficulties. One was the question of financial difficulty. There I think that the position of the district boards was not quite sound because on account of the provincialisation of the itinerant staff, the district boards have saved large sums of money. Therefore on that score they could hardly raise any reasonable protest. Yet Government considered the position and agreed to pay one-third of the pay of the stationary veterinary surgeons also.

District boards under the present system establish and maintain the dispensaries and so far as the pay of the assistant veterinary surgeons is concerned, Government bear one-third and district boards bear two-thirds of that. Therefore, if there is no dispensary in any particular locality, honourable members should look for that to the district board concerned and not to the Government. But one difficulty arises. District boards found it very difficult to get an adequate number of veterinary surgeons for their dispensaries. That was a real difficulty, and it was really extremely difficult for Government to come to their rescue. Ultimately, however, some arrangement for that has been made. There are some reserve officers

available for service under the district boards, and as many more assistant veterinary surgeons are necessary than are now available, it has been decided that in the Veterinary College the majority of the seats should be reserved for Bengalees. Previously, a large number of foreign students were admitted there, not only from other provinces but from outside India also. But on account of the fact that very few students from outside India are now admitted, the College is going to lose its international character. But for the sake of producing more veterinary surgeons for Bengal, it has now been arranged that most of the seats should be given to Bengalee students.

Now, so far as the provincialisation scheme is concerned, I have yet another word to say. The object of Government is to establish or rather Government intends that district boards should establish at least two dispensaries in each subdivision and subsidy from Government will be available to district boards up to the extent of one dispensary in each subdivision. Those district boards that want to go beyond that will have to depend upon their own resources entirely. So far as at least one dispensary for each subdivision is concerned, Government have taken the responsibility for meeting one-third of the pay of veterinary surgeons. It is also the object of Government to appoint two itinerant veterinary surgeons in each subdivision. I have already said that 104 itinerant veterinary surgeons have already been appointed and 63 more are necessary for making up the full quota of two itinerant veterinary surgeons for each subdivision. We are trying to get as many of them as possible in the shortest possible time. Still I would admit that there is another disadvantage of this scheme which has been pointed out by my friend, Mr. Israil, namely, that these itinerant veterinary surgeons are not engaged throughout the year. When there is no epidemic, they have very little to do and under the present arrangement, they have almost to sit idle for some time without doing anything. I confess that this is an unsatisfactory arrangement and I said in answer to a question in the House that that question is being looked into and we propose to come to a decision on this matter within a very short time, say, within a month.

There is another difficulty. I have said that on account of the provincialisation of the itinerant staff, Government is better able to cope with epidemics. But the difficulty lies in the fact that our people do not give information about these epidemics in time. Recently an epidemic broke out in the district of Mymensingh. But unfortunately the information came so late that the epidemic could not be successfully tackled and by the time the information came, a large number of cattle had already perished. For this purpose, what is necessary is intensive propaganda, and we are so very hard-pressed for money that even a very modest proposal to appoint a few more officers for the purpose of propaganda could not be given effect to. But I suppose

what Government have uptil now done is not so insignificant as some of my friends have tried to make out. I would only apeal to my honourable friends in this House not only to be loud in their voice on the floor of this House but also to help their ignorant cultivator brethren for whom they seem to feel so much, by spending at least 3 pice each for a post-card and sending in time information about any epidemic which may break out in their own localities.

Then, Sir, as regards the question of improvement of fodder, honourable members know that the policy of Government is to popularise the growing of Napier grass and other fodder crops. What Government have been doing in that respect is well known to this House. Thousands, rather millions, of Napier grass cuttings are being distributed and demonstrations are being held regarding the cultivations of Napier grass in almost every agricultural farm and demonstration centre. Government are also encouraging the preparation of artificial fodder in the form of silage.

This short summary will show what Government have been doing and if more money is available, certainly Government will be only too pleased to extend their activities in other different directions. But unless the honourable members agree to help Government in their efforts to find more money for extension of nation-building projects, I do not think further extension of our activities is at all possible. With these words, I oppose all the cut motions.

The motion of Mr. Charu Chandra Roy that the demand of Rs. 6,55,500 under the head "41- Veterinary" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Maqbul Hosain that the demand of Rs. 6,55,500 under the head "41- Veterinary" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Nalinaksha Sanyal, moved by Mr. Ashutosh Mullick, that the demand of Rs. 6,55,500 under the head "41— Veterinary" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Tamizuddin Khan that the demand of Rs. 6,55,500 be granted for expenditure under the head "41—Veterinary", was then put and agreed to.

Adjournment.

It being 8-30 p.m.—

The House was adjourned till 4-45 p.m. on Friday, the 29th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 29th March, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 9 Hon'ble Ministers and 210 members.

STARRED QUESTIONS

(to which oral answers were given)

Grants to anti-malaria societies in Pabna.

*253. **Mr. ABDUR RASCHID MAHMOOD:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the number of deaths from malaria in the district of Pabna in 1938;

(*ii*) what is the place of the Pabna district in the Province in respect of high roll of mortality due to malaria;

(*iii*) what is the present number of anti-malaria societies in the Pabna district; and

(*iv*) what was the amount of Government grants for those anti-malaria societies in 1938?

(*b*) Was any amount spent in 1938 by those societies for—

(*i*) flushing schemes,

(*ii*) irrigation schemes, and

(*iii*) anti-larval measures

in driving out malaria?

(*c*) What steps do the Government contemplate taking for the eradication of malaria from the district of Pabna?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Local Self-Government Department): (*a*) and (*b*) A statement is laid on the table.

(*c*) Two large anti-malaria schemes for the districts, viz., Malanchi Union Scheme and Sanila Karanja Scheme, are under examination by the Irrigation Department. The District Board have been asked to submit other anti-malaria schemes of a more or less permanent nature for consideration of the Public Health Department.

Statement referred to in the reply to clauses (a) and (b) of starred question No. 253.

(*a*) (*i*) 18,276.

(*ii*) 7th.

(*iii*) 29 registered and 46 unregistered.

(*iv*) Rs. 2,425 in the year 1937-38.

(*b*) (*i*) Nil.

(*ii*) Nil.

(*iii*) Rs. 596.

Development of silk industry in Malda.

***254. Mr. TARINI CHARAN PRAMANIK:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) the amount of annual grants made by the Central Government to the Bengal Government for the development of silk industries in Bengal;

(*ii*) what is the amount of grant allotted for the development of silk industry in the district of Malda; and

(*iii*) whether the said amount is given entirely to the Sericulture Department of the district or to all the individual silk weavers of the district as subsidies?

(*b*) If it is given to all the individual silk weavers of the district, will the Hon'ble Minister be pleased to state the amount of subsidies given to the silk weavers of Sibganja police-station, of the district of Malda?

(*c*) If no amount is given to the silk weavers of Sibganja, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*) The Government of India have been making the grant, the amount of which varies from year to year according to actual requirements, since 1935-36. The grant for 1939-40 is Rs. 49,500.

(*ii*) Rs. 19,188 for 1939-40.

(*iii*) The amount is spent on the scheme for the production and supply of disease-free seed in the district as a whole and is not distributed to individual silk weavers as a subsidy.

(*b*) and (*c*) Do not arise.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state what is the quantity of such diseases-free seeds that has been produced in Malda during the current year?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I want notice.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that during the current year no such seeds were produced in Malda?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not think my friend is correct.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state if the disease-free seed is distributed free or any value is taken for the seeds supplied?

The Hon'ble Mr. TAMIZUDDIN KHAN: Free.

Protective measures against water-hyacinth in Arial bil area in Dacca.

***255. Dr. SURESH CHANDRA BANERJEE:** (*a*) With reference to the reply to (*a*) (*iv*) of starred question No. 241 given on the 17th March, 1938, that the people "have the *aus* crop and local industries like the manufacture of paper by hand", is the Hon'ble Minister in charge of the Agriculture Department aware—

(*i*) that the cultivation of *aus* paddy in the area has been attempted without success; and

(*ii*) that there is no hand-made paper industry anywhere within ten miles of the *bil* area?

(*b*) With reference to the reply to (*a*) of starred question No. 247 given on the 22nd March, 1939, that "the scheme is worked by the local people with the assistance of the special officer", is the Hon'ble Minister aware—

(*i*) that all orders to the contractor in 1939 were either passed by the Collector of Dacca or by the Special Officer without any reference to the non-official members; and

(*ii*) that of the ten members of the official Central Arial *Bil* Committee, seven are officials and three are nominated?

(*c*) With reference to the reply to clauses (*a*) and (*b*) of starred question No. 60 given on the 11th December, 1939, and the supplementaries thereto, that "protective measures taken are considered adequate" and "I am not aware of any discontent of the people of the area, nor were the barricades constructed in 1938 and 1939 weak", will the Hon'ble Minister be pleased to state whether it is a fact that petitions signed by a large number of the affected cultivators of the Baraikhali Union were sent once in 1930, immediately after the breaches in the barricades which occurred on or about the 27th June, and again on the 5th August, 1939, to the Hon'ble Minister of Agriculture, drawing his attention to the weakness of the barricades and their grievances in connection therewith?

(*d*) Will the Hon'ble Minister be pleased to state whether it is his intention to meet the deputation appointed at a public meeting held at Baraikhali on the 26th November, 1939, to hear the popular side of the question?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) No. The *aus* crop succeeds or fails according to the weather conditions. The crop fails if there is a drought in March or April or if the rains start too early. I may add that the area is suitable for *boro* paddy which is extensively grown.

(*ii*) There are two centres of the hand-made paper industry within a radius of ten miles from the *bil*, namely Arial and Autshahi.

(*b*) (*i*) All orders to the contractor were given by the Special Officer as the executive agent of the local committee. As orders have to be given and carried out promptly it is not possible to consult the members of the Committee formally at every stage. The Committee lay down the principles according to which the work is to be done, the details of the actual execution of the work being left to the Special Officer. Though the Special Officer is paid by Government his services are at the disposal of the Committee who utilise him as their agent

for carrying out the work according to their general directions. The Collector and the two Subdivisional Officers concerned advise the Committee and the Special Officer and generally supervise the work.

(*ii*) Four out of the ten members of the Committee are non-officials. There being no elective machinery all the members have been appointed.

(*c*) I received one petition, dated the 5th August, 1939, signed by about 30 persons alleging that the barricade had given way and no steps were being taken to repair it. The petition was lying with the Collector for an inquiry when the starred question No. 60 was answered. On inquiry the Collector reported that a cyclonic storm of unusual intensity had caused the ropes binding the booms with the uprights of the barricade to give way which caused a gap over a considerable distance while the uprights remained intact. But as the storm blew in the very direction from which water-hyacinth flows into the *bil* it helped in carrying the entire water-hyacinth that had accumulated on the other side of the barricade away from the *bil* and also in blowing off a considerable quantity of water-hyacinth from the *bil* outside it through the gap, instead of carrying any water-hyacinth from outside into the *bil*. This was therefore a blessing in disguise. The barricade was restored to its original condition as speedily as possible. The breach was not due to the weakness of the barricade. The storm was of such unusual intensity that the barricade though strong could not stand it.

(*d*) I have not received any request to receive a deputation but am prepared to consider a request of the kind sympathetically when received.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state whether in 1934 the cultivators of Sridharpur purchased 400 Gajari posts from the borderland of Dacca and Mymensingh and transported them to the *bil* area in mid-October in heavy-laden boats and with these posts raised a barricade which successfully protected the crop for that year and the subsequent year?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Dr. SURESH CHANDRA BANERJEE: Is it a fact that in 1936, seeing the success of this scheme the Special Labour Officer came to the field, appointed a Committee of his own and took the responsibility of the whole work on his own shoulders?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I want notice.

Dr. SURESH CHANDRA BANERJEE: Is it a fact that seeing the success of the scheme in 1937 the Special Officer in order to increase the area so protected removed the posts of the barricade further south, but in doing so instead of doing it in the winter season when it can be done properly, he did it when the rains had already started, and the *bil* was more or less flooded and as a result the posts could not be placed properly and the barricade thus constructed was weak, and as a result of the storm the barricade yielded, causing great harm to the cultivators?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I cannot give the details without notice.

Dr. SURESH CHANDRA BANERJEE: Is it a fact that the following year the same procedure was followed but instead of having the barricade constructed in winter, it was constructed again when the rains set in and as a result the barricade was again weak and there was some failure of crops?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I again ask for notice. If the local people do not require the services of the Special Officer, Government will be very pleased to take him away.

Dr. SURESH CHANDRA BANERJEE: Is it a fact that this year even now, though it is nearing April, the barricade has not been constructed, and it is already becoming too late.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I do not know whether the barricade has been constructed as yet.

Mr. SPEAKER: There is another question, which has been held over, that is No. 242, and I cannot allow any further supplementaries on it.

Mr. ATUL CHANDRA SEN: But this is an important question, Sir.

Mr. SPEAKER: But I have given Dr. Banerjee enough latitude, and I cannot give him any more chance.

Mr. ATUL CHANDRA SEN: Give me a chance, Sir.

Mr. SPEAKER: All right, one question. I hope you will be pertinent?

Mr. ATUL CHANDRA SEN: With reference to answer (*a*) (*ii*) will the Hon'ble Minister be pleased to state whether he is aware that no handmade paper is made anywhere within 10 miles radius of the *bil* area?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, my information is not that. I think there is some confusion about the number of miles.

Recruitments made under Jute Registration Scheme in 1939.

***256. Al-Hadj GYASUDDIN AHMED CHOUDHURY:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) the number of employees serving at present under the Jute Registration Department, Bengal;

(*b*) the number of employees in different grades from the—

(1) Muslims,

(2) Caste Hindus, and

(3) Scheduled Castes;

(*c*) the number of employees recruited during 1939, in different grades from the—

(1) Muslims,

(2) Caste Hindus, and

(3) Scheduled Castes;

(*d*) the number of employees—

(1) Muslims,

(2) Caste Hindus, and

(3) Scheduled Castes,

grade by grade, serving at present in different sections of the Alipur Jute Registration Office; and

(*e*) whether the modus operandi of appointments from different communities has been in consonance with the percentage allotted for each community?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) 1,515 on the 1st March, 1940.

(*b*) to (*d*) Statements are laid on the Library table.

(*e*) Yes, as far as possible.

Government nominations to Barisal Municipality.

*257. **Mr. DHIRENDRA NATH DATTA:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) when the election of members of the Barisal Municipality took place; and

(*ii*) whether it is a fact that the members to the said Municipality have not yet been appointed by the Government?

(*b*) If the answer to clause (*a*) (*ii*) is in the affirmative, will the Government be pleased to state the reasons for the delay in nominating the members?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Local Self-Government Department): I would refer the honourable member to the answer given to starred question No. 242 by Mr. Pratul Chandra Ganguli, in the present session.

Mr. SPEAKER: I think I should now take up question No. 242, which was held over, and supplementary question may then be put on both.

Government nominations to Barisal Municipality.

*242. **Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) that the commissioners for the Barisal Municipality were elected more than one and a half years before; and

(*ii*) that Government nominations have not yet been published in Gazette?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

(*c*) Will the Hon'ble Minister be pleased to state when nominations are likely to be gazetted?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Local Self-Government Department): (*a*) (*i*) In March, 1938.

(*ii*) and (*c*) The names of the appointed commissioners were published in the *Calcutta Gazette* of the 14th March, 1940.

(*b*) The question of selecting suitable persons required very careful and prolonged consideration.

Mr. DHIRENDRA NATH DATTA: The election was held in March, 1938, and appointments were made in March, 1940, that is after a period of two years. Will the Hon'ble Minister be pleased to state the reason for this inexplicable delay?

Mr. SPEAKER: The Hon'ble Minister has answered it.

The Hon'ble Mr. A. K. FAZLUL HUQ: It was not in March, 1938; it was in March, 1939. So, it is only one year.

Mr. SPEAKER: In the answer it is given that nomination requires very careful consideration.

Mr. DHIRENDRA NATH DATTA: Sir, the Chief Minister was telling that it was in March, 1939, but from the answer we find that it was in March, 1938. Two years were necessary for very careful consideration!

Mr. SPEAKER: In any case he has answered that it requires careful consideration.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister please give us the details of careful consideration?

Mr. SPEAKER: I admire your patience, but not your wisdom. (Laughter.)

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to explain why the answer to this question has been given during this session, although the question was put by me in the last session?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: It does arise, Sir. There was much delay in answering this question. Am I to take it that an answer to a simple question like this requires a very careful consideration?

Mr. SPEAKER: That question does not arise.

Communal ratio in appointments under Executive Engineer, Eastern Circle.

***258. Mr. UPENDRA NATH EDBAR:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) the present number of—

(1) clerks,

(2) draftsmen,

(3) estimators (temporary and permanent), and

(4) work sirkars

in the Eastern Circle;

(*ii*) the number of them that are—

(1) Caste Hindus,

(2) Scheduled Castes,

(3) Muslims; and

(4) other minority communities;

(*iii*) the number of—

(1) clerks,

(2) draftsmen, and

(3) estimators

that have been appointed in the above circle after the communal ratio in services has been given effect to; and

(*iv*) the number of them that are—

(1) Caste Hindus,

(2) Scheduled Castes, and

(3) Muslims?

(*b*) Has the principle of communal ratio been followed at the time of appointments?

(*c*) If not, why not?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) A statement is laid on the table.

(*b*) It appears from the statement that the answer is in the affirmative.

(*c*) Does not arise.

Statement referred to in the reply to clause (a) of starred question No. 258.

(a)(i) and (ii)—

	Present number.	Caste Hindus.	Muslims.	Scheduled Castes.	Other minority communities.
Clerks ..	63	37	25	1	Nil
Draftsmen ..	11	7	4	Nil	Nil
Estimator (permanent).	9	5	4	Nil	Nil
Estimator (temporary).	5	3	Nil	1	1
Work sirkars ..	65	48	14	2	1

(iii) and (iv)

	Number of appointments.	Caste Hindus.	Muslims.	Scheduled Castes.
Clerks	3	Nil	1	*2
Draftsmen .. .	2	Nil	2	Nil
Estimator (temporary) ..	1	1	Nil	Nil

*One of them went on leave after joining the appointment and did not turn up.

C. S. Roll in Police Service.

*259. **Mr. ABDULLA AL MAHMOOD:** Is the Hon'ble Minister in charge of the Home Department aware—

(a) that C. S. Roll in the Police Service is written without the knowledge of the officer concerned; and

(b) that C. S. Roll varies entirely during the time of different officers?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) There is no such document as C. S. Roll Confidential reports are, however, maintained in the prescribed forms for officers above the rank of Assistant Sub-Inspectors. Normally these reports are not shown to the officers but in cases in which adverse comments are made about remediable defects the nature of such reports is communicated to the officer concerned.

(*b*) Entries would naturally vary with the estimate formed by different officers on the work of the officer concerned.

Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister be pleased to state whether adverse comments and confidential reports are communicated to the officers concerned orally or in black and white?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is left to the discretion of the officer concerned. I am taking steps to suggest that it should be done in writing in future.

Appointment of teachers of Guru Training Centres.

***260. Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the number of Guru Training Circles recently established in the districts of Chittagong, Tippera and Noakhali;

(*b*) the total number of B.T. and Vernacular teachers appointed for those circles;

(*c*) the number of—

(1) Muslims, and

(2) Hindus,

appointed as such teachers with their names and native districts;

(*d*) whether the appointment of such teachers for the Noakhali and the Chittagong centres was advertised; and

(*e*) what was the number of Muslim applicants from the Noakhali district?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) 14 centres attached to the high schools, and one at a high madrassah in Tippera, i.e., 4 in Chittagong, 4 in Noakhali and 7 in Tippera.

(*b*) 15 B.T. teachers were appointed by the Director of Public Instruction, Bengal, and 15 Vernacular teachers by the Inspector of Schools, Chittagong Division.

(*c*) A statement containing the information is laid on the table.

(*d*) No. An advertisement was made to fill up the posts in the Training Centres of the Tippera district and a large number of candidates applied for the posts. The Divisional Panel Committee interviewed them and selected the best candidates available for the purpose. The posts in the Training Centres of the districts of Noakhali and Chittagong were filled up by the candidates already empanelled. Hence there was no necessity for fresh advertisement.

(*e*) There were 14 Muslim applicants from the Noakhali district.

Statement referred to in the reply to clause (c) *of starred question No. 260, showing the number of Hindu and Muslim teachers appointed in the Training Centres in the Chittagong Division.*

Name of teacher.	Native district.
Muslim B.T.'s.	
(1) Maulvi A. M. Tafazzal Hossain, M.A., B.T. ..	Tippera.
(2) Maulvi Mahiuddin Ahmed, M.A , B.T. ..	Ditto.
(3) Maulvi Abdul Hakim, M.A., B T.	Chittagong.
(4) Maulvi Abdul Quddus Mia, B.A., B.T. ..	Tippera.
(5) Maulvi Izazuddin Ahmed, B.A., B.T. ..	Noakhali.
(6) Maulvi A. K. M. Fazlul Hoque, B.A., B.T. ..	Chittagong.
(7) Maulvi Md. Afzal Hussain Tarafdar, M.A., B.T.	Pabna.
(8) Maulvi Md. Sultan Mia, M.A., B.T. ..	Tippera.
Muslim V. M. teachers.	
(1) Maulvi Zainal Abedin	Tippera.
(2) Maulvi Liakatullah	Ditto.
(3) Maulvi Shamsul Hoque .. .	Ditto.
(4) Maulvi Md. Wajiullah	Ditto.
(5) Maulvi Kazi Zulfiquer Hyder . .	Noakhali.
(6) Maulvi Ali Modasser	Tippera.
(7) Maulvi Abed Hossain	Ditto.
(8) Maulvi Laqiatullah Majumdar	Ditto.
Hindu B.T.'s.	
(1) Babu Profulla Kumar Bhattacharjee, M.A., B.T.	Chittagong.
(2) Babu Amarendra Nath Dutta Chowdhury, B.A., B.T.	Khulna.
(3) Babu Monmohan Sarma, M.A., B.T. ..	Dacca.
(4) Babu Sukumar Sen, B.A., B.T.	Tippera.
(5) Babu Kshitish Ranjan Banerjee, M.A., B.T. ..	Mymensingh.
(6) Babu Jatindra Lal De, M.Sc., B.T.	Chittagong.
(7) Babu Narendra Kishore Dutt, M.A., B.T. ..	Tippera.

Name of teacher.	Native district.
Hindu V. M. teachers.	
(1) Babu Surendra Narayan Rakshit . .	. . Tippera.
(2) Babu Manindra Ranjan Das . .	. . Noakhali.
(3) Babu Bepin Behari Bardhan . .	. . Tippera.
(4) Babu Gopal Krishna Dutta	. . Chittagong.
(5) Babu Shashi Mohan Dutta . .	. . Tippera.
(6) Babu Prabhat Chandra Kar . .	. . Ditto.
(7) Babu Jogendra Kumar Sarker . .	. . Ditto.

Allotment and expenditure from Government of India's Rural Uplift grants in Pabna district.

***261. Mr. ABDUR RASCHID MAHMOOD:** Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing for the years 1937, 1938 and 1939—

(*a*) the amounts allotted to the district of Pabna from the contributions of the Central Government; and

(*b*) the amounts spent in the district for—

(1) water-supply,

(2) establishment of village dispensaries,

(3) playgrounds,

(4) village halls,

(5) libraries, and

(6) other purposes?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): A statement is laid on the table.

Statement referred to in the reply to starred question No. 261.

Year.	Allotment.	Expenditure.
	Rs.	Rs.
Water-supply.		
1937-38	4,225	4,225
1938-39	5,304	4,885
1939-40(*a*)	2,245	. .
Establishment of Village Dispensaries.		
1937-38	. .	. .
1938-39	. .	. .
1939-40(*a*)	. .	. .

Playgrounds and Village Halls.

1937-38	..	..	..	..
1938-39	..	..	5,811	5,811
1939-40(*a*)	..	..	4,805	4,623

Libraries.

1937-38	..	..	..	..
1938-39	..	..	..	..
1939-40(*a*)	..	..	..	..

Other purposes.

1937-38	..	..	3,639	3,639
1938-39	..	..	8,737	7,662
1939-40(*a*)	..	..	4,715	350

(*a*) Up to the end of January.

SHORT NOTICE STARRED QUESTION.

Dismissal of two workers of the generating station of the Calcutta Electric Supply Corporation at Metiaburz.

*261A. **Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether two workers of the generating station of the Calcutta Electric Supply Corporation at Metiaburz were dismissed by the Company on the 13th March, 1940;

(*ii*) whether as a result of the aforesaid dismissal, the other workers of the station were agitated, wanted to know the reason of the dismissal of the two aforesaid workers;

(*iii*) the reason and the circumstances under which the police went to the generating station;

(*iv*) whether the police used force or violence to disperse the workers of the generating station; and

(*v*) to what extent force was used and with what result?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*i*) Yes.

(*ii*) Some of the workers were agitated.

(*iii*) Policemen were deputed to see that there was no breach of the peace.

(*iv*) No.

(*v*) Does not arise.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state how did the police apprehend that there might be a breach of the peace there? Some policemen were deputed there. How could they suspect that there might be a breach of the peace?

Mr. SPEAKER: The answer does not say that. You can ask whether the policemen went there of their own accord or were sent for.

Dr. SURESH CHANDRA BANERJEE: All right, Sir. Did the police go to the workshop at Metiabruz of their own accord or were they sent for?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state in what condition did the police find the workers there?

Mr. SPEAKER: That question does not arise.

Dr. SURESH CHANDRA BANERJEE: Yes, Sir, it does. The Hon'ble Minister says that there was no violence though some of the workers were agitated. But if the workers were agitated the police who went there must have found them in such a condition

Mr. SPEAKER: There need not be any discussion on that

Dr. SURESH CHANDRA BANERJEE: As a matter of fact, Sir, there was violence But the Hon'ble Minister says that there was no violence.

Mr. SPEAKER: You can ask what was the nature of the violence and whether there was any barometer to record that. (Laughter.)

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state how long did the police stay there at the workshop?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state whether at the time the police left the place the workers were still inside the workshop or they had left it?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, Sir, this question does not arise from this. It is not possible for me to anticipate it and be prepared for an answer

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state whether it is a fact that the police after going there drove away the workers from inside the workshop by using force?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir

Dr. SURESH CHANDRA BANERJEE: Is it a fact that several people were injured when they left the workshop?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am absolutely certain, Sir, that nobody was injured

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state what is the source of his information, because I myself saw some of the workers being injured?

Mr. SPEAKER: That question does not arise

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether there was any mild *lathi* charge? (Laughter.)

The Hon'ble Khwaja Sir NAZIMUDDIN: No, not even a mild *lathi* charge

Khan Sahib Maulvi SYED MUHAMMAD AFZAL: Will the Hon'ble Minister be pleased to state who was responsible for misleading the labourers?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a very pertinent question. The Labour leaders were themselves responsible for misleading the labourers.

(At this stage Maulvi Abu Hossain Sarkar came to Secretary's table and began speaking to him.)

Mr. SPEAKER: I am sorry if the members disturb the House in this way during question time, it would be very difficult to conduct the proceedings of the House. I have already given warning to several members that this is not the time, at least between 4-45 and 5-45 to disturb the House in this way, by asking for tickets of admission for visitors.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Silting up of Kalidas khal and Kamodia khal in Shalikha police-station, Jessore.

138. Maulvi WALIUR RAHMAN: (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that the Kalidas *khal* and Kamodia *khal* in the Shalikha police-station, Jessore, have silted up;

(*ii*) that it has caused a vast water-logged area;

(*iii*) that the people of that area suffer from failure of their crops every year;

(*iv*) that these two *khals* connect Fatika river with the Chitra river; and

(*v*) that it is the only outlet for the drainage of water of the whole of the Shalikha thana?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take to remove the silt of the *khals*?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) (*i*) I am informed that the *khal* known as the Kalidas *khal* or the Kanudaha *khal*, has silted up.

(*ii*) Yes.

(*iii*) I am informed that, generally speaking, such a statement may be made.

(*iv*) The *khal* connects the Fatki river with the river Chitra.

(*v*) It is the principal outlet for the drainage of water of a large area in Shalikha thana.

(*b*) The question of re-excavation of the *khal* is receiving my attention. I understand that it was originally proposed to finance the re-excavation of the *khal* from the Government of India's second grant and local contributions, but that it was found that the project was too big to be dealt with in that way.

Estates under the Court of Wards in Rangpur.

137. Mr. KSHETRA NATH SINGH: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the number of estates that are under the Court of Wards in the district of Rangpur;

(*ii*) the debts of each estate;

(*iii*) the date of assumption of charge of each estate;

(*iv*) the total collection of each estate; and

(*v*) land revenue paid for each estate?

(*b*) Is it a fact that some estates have already been released as there was no hope of redemption?

(*c*) If so, will the Hon'ble Minister be pleased to state—

(*i*) whether the cases of those estates were separately considered before resumption; and

(*ii*) how many of the released estates have already been sold?

(*d*) Do the Government contemplate the release of more such estates?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) Ten.

(*ii*) to (*v*) A statement is laid on the table.

(*b*) Only one estate, that of Babu Bhabani Prasanna Lahiri and others, has been released recently as it was hopelessly encumbered. None other was released in the last five years.

(*c*) (*i*) Does not arise.

(*ii*) Government have no information.

(*d*) This question is under consideration by the Court.

Statement referred to in the reply to sub-clauses (ii) to (v) of clause (a) of unstarred question No. 137.

Name of estate.	Amount of debt at the beginning of 1346 B.S.	The date of order of assumption of charge.	Total collections including interest from the date of assumption of charge till the end of 1345 B.S.	Total land revenue and cess paid from the date of assumption till the end of 1345 B.S.
	Rs.		Rs.	Rs.
Bardhankuti ..	3,78,702	13-8-24	6,09,379	1,02,878
Kakina ..	13,48,818	14-6-25	45,16,688	13,59,785
Tushbhander ..	4,33,440	13-7-27	6,83,332	1,60,787
Bamandanga ..	5,51,767	27-6-29	5,77,007	1,81,043
Poyda ..	90,487	19-8-35	1,58,770	65,105
Mahipur ..	9,255	15-11-35	58,369	20,437
Kamarpukur ..	662	15-11-35	42,054	10,587
Lahiri (Junior) ..	2,53,595	11-1-36	1,28,497	25,843
Radhaballav ..	37,094	9-6-36	2,12,633	80,026
Tajhat ..	25,05,244 (Debts not yet finally adjudicated.)	17-7-36	7,71,316	2,93,363

Reservation of seats for minorities in the reconstitution of District Boards.

138. Mr. HARENDRA KUMAR SUR: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) whether the principle of reservation of seats for the minority communities and of giving weightage to them will be applied during the reconstitution of different district boards in Bengal;

(*ii*) whether the percentage of Muslim population in the Noakhali district is 77·54;

(*iii*) whether the number of seats to be filled up by election for reconstitution of the Noakhali District Board is 24; and

(*iv*) whether the District Magistrate and District Board of Noakhali have recommended 5 seats only out of 24 to be reserved for the minority communities?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate the modification of the recommendations of the District Magistrate of Noakhali as to the number of seats to be reserved, in favour of the minority communities of the Noakhali district?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) The principle of reservation of seats for minority communities as embodied in section 10A of the Local Self-Government Act is followed in all cases where it is considered desirable. There is no provision for giving weightage to the minority communities.

(*ii*) No. The percentage is 78·4

(*iii*) It has not yet been fixed.

(*c*) No such recommendation has been received.

(*b*) Does not arise.

Persons arrested or convicted under Defence of India Act, 1938, in Bengal.

139. Mr. PRATUL CHANDRA CANGULI: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the number and names of persons who have been arrested, convicted or interned or otherwise restricted in their movements under the provisions of the Defence of India Act, 1938, or under the provisions of the notifications issued under the said Act, in the Province of Bengal

(*ii*) the number and names of persons held in custody or detained without trial under the said Act and notifications;

(*iii*) the names of the places where persons detained without trial or interned have been kept; and

(*iv*) whether any allowance is granted to these detenus and internees or to their dependants?

(*b*) If the answer to (*a*)(*iv*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government contemplate the grant of an allowance for these detenus and their dependants?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) A statement is laid on the Library table.

(*b*) Does not arise as there are no detenus.

Mr. SURENDRA NATH BISWAS: Has the Hon'ble Minister's attention been drawn to the word "detenus" in question (*b*) and whether

the word was used to mean persons who were detained under the Defence of India Act without trial and not the persons whom the Hon'ble Minister knows to have been released?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not follow the question.

Mr. SURENDRA NATH BISWAS: My question is: has the Hon'ble Minister's attention been drawn to the interpretation of the word "detenus" in question (*b*) by which word the questioner meant persons detained under the Defence of India Act?

The Hon'ble Khwaja Sir NAZIMUDDIN: We do not accept that interpretation. Detenus mean those who are detained.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government considered the desirability of paying some allowance to the persons who have been detained without trial or those who have been detained under the Defence of India Act?

The Hon'ble Khawaja Sir NAZIMUDDIN: Nobody has been detained without trial under the Defence of India Act.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether, in view of the fact that the movements of the persons who have been so detained or interned have been restricted by an order under the Defence of India Act, Government have considered the desirability of paying some allowance to those persons?

The Hon'ble Khwaja Sir NAZIMUDDIN: Speaking from memory, as far as I remember, nobody has been interned and if there were any orders those orders have been withdrawn. As far as restriction of movements is concerned, their movements are not restricted in such a way as to prevent them from earning a living.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the orders under the Defence of India Rules requiring some persons to leave certain areas were served along with another order by the Police Commissioner not to communicate with anybody during 24 hours previous to complying with that order?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is possible, Sir, there may be such an order.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the police officers who served the two orders were not authorised to make arrangements for their removal or did not make any suggestion as to how they should maintain themselves after removing from the areas.

The Hon'ble Khwaja Sir NAZIMUDDIN: As I have already stated, Sir, no complaints were made on this score. If anyone had raised that objection, I am sure adequate arrangements would have been made by the Commissioner of Police.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the persons made their grievances and the Chief Presidency Magistrate has characterised in a judgment that the procedure adopted was harsh?

The Hon'ble Khwaja Sir NAZIMUDDIN: Well, Sir, if the Chief Presidency Magistrate has made that observation, no comment can be made on it.

Mr. JOGESH CHANDRA GUPTA: Does the Hon'ble Minister consider it desirable to make some provision for enabling the persons to comply with the order instead of serving the order of removal and another order that within the 24 hours allowed they must not communicate with anybody?

The Hon'ble Khwaja Sir NAZIMUDDIN: The object of that order is to prevent them from getting people round and issuing instructions and making arrangements for frustrating that order of externment. Any reasonable request for assistance to enable them to get away within 24 hours will certainly be allowed.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the Police Commissioner's order is not restricted in the way that the Hon'ble Minister has just now said? It clearly states that during the 24 hours given for their removal from these places they are not to communicate with anybody or associate with anybody.

The Hon'ble Khwaja Sir NAZIMUDDIN: Quite true, Sir. The order has got to be wide, but relaxation can be made by competent authority provided it is brought to the notice of the competent authority.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the police officers who served those orders said in answer to questions put by the defence counsel that they had no authority to make

any arrangement with regard to their removal and they could not possibly convey any grievance to the competent authority?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is quite true, Sir, that they had no authority to make arrangements without instruction from the Commissioner of Police, but as far as I am aware and so far as all the questions that have been put to me are concerned, they have not asserted that those people made a request to the police that this order will prevent or handicap them from making arrangements for getting away and no assistance was given. To prevent further supplementaries, I suggest that in future if requests are made to enable them to make arrangement for getting away and if the Commissioner of Police considers them to be *bona fide* requests they will be attended to.

Mr. JOGESH CHANDRA GUPTA: In the light of the last assurance given by the Hon'ble Minister, will he be pleased to say that the persons who under these two orders were compelled to violate the orders are not imprisoned unnecessarily?

The Hon'ble Khwaja Sir NAZIMUDDIN: Here again, I regret that I cannot agree straight off because they did not protest on that ground. They objected to the order as an order not because it prevented them from making adequate arrangements for getting away If it is satisfactorily proved that this was the basis of their objection, then I will certainly consider the question

Government nominations to Barisal Municipality.

140. Srijut NARENDRA NATH DAS GUPTA: With reference to the reply to clause (*b*) of starred question No. 248 of the 22nd March, 1939, and of supplementaries thereto, will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the reasons why the nomination of Commissioners for the Barisal Municipality has not been published as yet?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I would refer the honourable member to the answer given to starred question No. 242 by Mr. Pratul Chandra Ganguli in the present session.

Restriction of motor lorries from running on Hill Cart Road.

141. Mr. DAMBER SINGH GURUNG: (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware—

(*i*) that an order has recently been issued by the Deputy Commissioner, Darjeeling, restricting the motor lorries from running more than one trip a day on the Hill Cart Road from Siliguri to Darjeeling;

(*ii*) that the trucks are not allowed to carry more than 20 maunds per trip; and

(*iii*) that a weighing machine has been kept at Sukna railway station by the Darjeeling Himalayan Railway Company?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason of putting such restrictions on the motor vehicles running on the Hill Cart Road?

(*c*) Have the public or associations submitted any representations against the order either to the district authority or to the Government?

(*d*) If so, what action, if any, has been taken on these petitions?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*)(*i*) Yes, but it has since been kept in abeyance under orders of Government.

(*ii*) The rule is that cars when loaded shall not exceed 40 cwt. in weight.

(*iii*) Yes.

(*b*) Restrictions have been imposed from time to time in view of the limited capacity of the road and the desirability of protecting the Darjeeling Himalayan Railway against unfair competition.

(*c*) Yes, several representations have been received.

(*d*) Action taken as in (*a*)(*i*).

Excise shops held by members of different communities in Rangpur.

142. Mr. KSHETRA NATH SINGHA: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*i*) the present number of excise shops in the district of Rangpur;

(*ii*) the number of them that are held by—

(1) Caste Hindus,

(2) Muslims, and

(3) Scheduled Castes; and

(*iii*) whether the service ratio is observed in the case of issuing licence of such shops?

(*b*) If the answer to (*a*)(*iii*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) How many shops are held by non-Bengalees in the district?

(*d*) Have the Government accepted the principle of giving the shops to the *bona fide* Bengalees only?

(*e*) Will the Hon'ble Minister be pleased to state the number of shops that are held by Ram Sevak Ram, a non-Bengalee, in the district?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) (*i*) 76.

(*ii*) (1) 61, (2) 13, and (3) 2.

(*iii*) No.

(*b*) Reservation of excise shops for members of different communities on a communal ratio basis would be likely to lead to unsatisfactory management of shops. As far as possible, however, the claims of all communities are taken into consideration.

(*c*) 42.

(*d*) Yes.

(*e*) There is no excise licensee of this name in the district

Mr. MIRZA ABDUL HAFIZ: With reference to answer (*c*), will the Hon'ble Minister be pleased to state how many shops were given to non-Bengalees during the last three years, namely, from the 1st of April, 1937?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I want notice.

Maladministration in Union Boards.

129. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Hon'ble Minister received petitions from the ratepayers of some Unions of the Province of Bengal regarding maladministration of the respective Unions and for taking actions in the year 1939?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the names of the Unions in respect of the Presidents of which the petitions were received?

(*c*) What are the allegations that were made in respect of the Presidents of the different Unions?

(*d*) Whether the Government made enquiries into the allegations?

(*e*) If the answer to (*d*) is in the affirmative, what were the results of those enquiries?

(*f*) If the answer to (*d*) is in the negative, why the enquiries were not made?

(*g*) Do the Government consider the desirability of making enquiries into the allegations that were made?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes.

(*b*) and (*c*) A statement is laid on the Library table.

(*d*), (*f*) and (*g*) As under the Village Self-Government Act, the local officers and the District Board are competent to deal with complaints against Presidents of Union Boards, the petitions received by Government direct are usually forwarded to the local officers for disposal. According to this practice, the petitions mentioned in the statement, with the exception of those against the Presidents of Uthali, Bankra and Betaga Union Boards, were forwarded to the local officers for necessary action. As the allegations made against the last mentioned three Presidents appeared to be of a rather serious nature, Government asked for reports on these allegations.

(*e*) As regards the President of the Uthali Union Board, it appeared from the report of the local officers that some of the charges made against him were proved to be false and the remaining charges were not substantiated but that on the other hand the members who had made allegations against the President were more to blame than the President himself. No disciplinary action was, however, taken against the Union Board as the general election was near at hand.

The allegations against the President of Bankra Union Board were found baseless. The local officers' report against the President of Betaga Union Board has not yet been received.

Excess payments made to rate collectors by ex-President of Pursura Union Board.

132. Mr. DHIRENDRA NARAYAN MUKHERJEE: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware—

(*i*) that the Circle Officer of Khanakul and Pursura in the subdivision of Arambagh in the district of Hooghly repeatedly asked the ex-President of the Pursura Union Board not to pay the union rate collector commission in excess of his legal dues; and

(*ii*) that a large sum of money is on that account due from the ex-Secretary and ex-President of the Pursura Union Board?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Subdivisional Officer of Arambagh has taken for the realisation of the excess payments made by the ex-President of Pursura Union Board?

(c) Is it a fact—

(i) that the present Subdivisional Officer of Arambagh visited the Pursura Union Board three months back; and

(ii) that the charge of excess payment by the ex-President of Pursura Union was brought to his notice by the new President of the Union Board?

(d) If the answer to (c) (ii) is in the affirmative, will the Hon'ble Minister be pleased to state what action has been taken in the matter?

(e) Is it a fact that the newly constituted Union Board has requested the District Magistrate of Hooghly for a thorough audit of its accounts and books by an expert auditor?

(f) If so, do the Government contemplate the appointment of an auditor for the purpose?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (a) and (b) The Circle Officer, Khanakul and Pursura, noticed in course of audit of accounts of the Pursura Union Board for the year 1937-38 that a sum of Rs. 179 was paid to the rate collector and the Secretary of the Union Board as commission in excess of the amount due to them in accordance with the rate prescribed by the Local Board and asked them to refund the amount. No such liability was imposed on the ex-President. Subsequently the Local Board exempted these employees from the repayment of the sum in question as a special case. No further action was, therefore, taken by the Subdivisional Officer in the matter.

(c) Yes.

(d) As stated in reply to clauses (a) and (b) above, no further action was considered necessary.

(e) No. The new President moved the Chairman, District Board.

(f) No.

Industrial and Agricultural Exhibition held at Arambagh in March, 1939.

133. Mr. DHIRENDRA NARAYAN MUKHERJEE: (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(i) whether the Subdivisional Magistrate of Arambagh in the district of Hooghly organised an Industrial and Agricultural Exhibition in March, 1939, in which all the Union Boards of the Arambagh subdivision were asked to participate and contribute to the exhibition fund;

(ii) whether all the Union Boards of the Arambagh subdivision contributed Rs. 5 each to the Exhibition Fund;

(*iii*) whether the amount so paid was sanctioned by all the Union Boards in meeting;

(*iv*) whether the exhibition committee got their accounts audited and published;

(*v*) whether the accounts were sent to the Union Boards of the subdivision; and

(*vi*) whether the exhibition fund had a surplus after meeting the expenses?

(*b*) If the answer to (*a*) (*vi*) is in the affirmative, will the Hon'ble Minister be pleased to state how and by whom the surplus was spent?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Yes; but the invitation for participation and contribution related not only to the Exhibition Fund but also to the Subdivisional Union Board Conference.

(*ii*) Each Union Board paid Rs. 10 towards the Exhibition and the Union Board Conference.

(*iii*) and (*v*) Yes.

(*iv*) The accounts were passed by the Committee which consisted of representatives of the public. There was no formal publication.

(*v*) No

(*b*) The surplus was first kept in the Central Co-operative Bank, Arambagh, in the account of the Exhibition Committee and was subsequently utilised for the Exhibition and Conference in 1940

DEMANDS FOR GRANTS.

47—Miscellaneous Departments.

Mr. SPEAKER: Mr Suhrawardy.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that——

Mr. J. N. GUPTA: Sir, I beg to move that this House stand adjourned——

Mr. SPEAKER: Mr Gupta what are you moving?

Mr. J. N. GUPTA: An adjournment motion, Sir, of which I gave notice.

Mr. SPEAKER: I am afraid I have got no notice whatsoever.

Mr. J. N. GUPTA: But, Sir, I have duly handed over a notice to the Assembly Secretary.

Mr. SPEAKER: Have you got my permission to move the motion?

Mr. J. N. GUPTA: No Sir, but in view of the tragedy of the situation and in view of the gravity of the matter, is it not possible for this House to give me special permission——

Mr. SPEAKER: I suppose Mr. Gupta you ought to know what are the rules on this subject. You have not complied with the rules; as the rule says that such notice ought to be given by 12 o'clock and your notice was handed over only at 4-15 p.m. So you cannot move your motion.

Mr. Suhrawardy.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 4,77,000 be granted for expenditure under the head "47—Miscellaneous Departments."

Mr. SIBNATH BANERJEE: Sir, I have as many as seven motions on this subject.

Mr. SPEAKER: But these are not on the order paper before the House down for to-day's discussion.

Mr. SIBNATH BANERJEE: All right, Sir in that case I will speak on this demand generally and oppose the entire amount.

Mr. SPEAKER: Or you can move Mr. Shahedali's motion No. 57 on his behalf.

Mr. SIBNATH BANERJEE: I do not like to do that, Sir.

Mr. SPEAKER: Then you can speak generally on this matter.

Mr. SIBNATH BANERJEE: All right, Sir. I oppose the entire demand and, in doing so, I can only mention that there is a strike of about 20,000 men going on to-day in the city of Calcutta, and has the Labour Minister or the Labour Commissioner, created by him, or has anybody else done anything to settle the dispute?

Secondly, Sir, or rather along with it there is another small piece of news that five labour leaders have been asked to leave Calcutta within 24 hours, and a friend of mine just asked me whether I am one of them. So far, Sir, I have not been included, but I think my turn will come next. (The Hon'ble Mr. H. S. SUHRAWARDY: Perhaps you are not of importance enough.)

Mr. SPEAKER: Then you are not in any of the schedules? (Laughter.)

Mr. SIBNATH BANERJEE: I do not know, Sir. In my hand I hold a rather biggish volume enumerating the deeds which the present Government has done, namely, "Two Years of Provincial Autonomy in Bengal," and in this book we have got a certificate given by the Hon'ble Minister himself to himself. In the page No. 85 of this book we find a pending Radical Labour Policy. If one would care to go through these pages I think that would be sufficient to condemn the Labour Minister for want of any sound policy. He starts with the fact that when this Ministry took office there was a strike and a big strike. Since then, the Labour policy has been, as he says, encouraging sound trade unionism, but what is actually meant by it he has not been good enough to tell this House or the world. Whether it depends upon his whim or the whim of the Labour Commissioner or his satellites which he has created. If they are connected with any union, that is a sound and genuine trade union. All others are either communistic unions or militant unions. In a word, he is out to crush them. I must frankly admit here, that he has succeeded in his aim very creditably, I think, much beyond his own expectations. But in doing so, he has employed a weapon for which, I think, he shall have to repent in not a very distant date. He has introduced communalism to crush trade unionism and the facts are quite clear. At the time of the jute strike, when he became a Minister, there was assurance—and it is mentioned here in this book also—that there would be no victimization. The House knows inspite of the denial of the Labour Minister that more than seven hundred were dismissed from Bauria and three hundred from Rajganj Jute Mills. Still he goes on with this untruth that there has been no victimization. There was a further assurance that the cases would be withdrawn. It was not merely the assurance of the Labour Minister—we never put much trust in his assurance—but along with it was also the assurance of the Hon'ble Chief Minister, in whose assurances in the past, we used to have some amount of confidence. Though the promise was that the cases would be withdrawn, yet our friends did rot in jail for nine months.

Then he goes on to say about the extension of the Factories Act. Absolutely nothing has been done in that respect too. A report is being circulated to the unions that the Factories Act is going to be

amended. The volume in my hand is a very big volume, but in this the most important thing, the simplest of all things, that is necessary for the workers, is not there, and in the other provinces, the Factories Act is extended to factories where ten or more men are working. That can be done without any necessity for a big volume. That can be done by a single order from the Government, but this small thing has not been done as yet. One year back, the Hon'ble Minister assured us that they were considering the question of the extension of the Factories Act, and still he is considering.

Then he takes credit for the Maternity Benefit Act, an Act which was introduced by the previous Government, and it took more than eighteen months to give shape to that Act in the form of a Bill, and even in doing so he has excluded thousands of women workers in the municipalities, women who work as teachers, clerks and nurses, and all others who are not in the big workshops. They are all excluded from the Maternity Benefit Act. The House may be interested to know that one of the demands of the workers who are on strike to-day is the maternity benefit for women workers in municipalities. If the Labour Minister had included that, at least one of the grievances would have been redressed by this House and by the Labour Minister, but that was not done. I don't think I shall have much time, because to-day there will be guillotine soon. So, I would rather like to read a catalogue of his omissions and commissions.

The steamer employees made representations to the Labour Minister. The Labour Minister has always been saying, "I do not want a strike, but representations will be heard." But the representations made by the steamer employees were not heard and nothing was done to them, though the company almost maliciously deprived them of all their Provident Fund and all the earnings of twenty years or more.

Then he has not done anything regarding the minimum wage of workers. In other provinces the policy has been followed that minimum wage should be Rs. 15—I am talking now of the period before the War—but in this province nothing whatsoever has been done.

Then regarding unemployment problem, the Minister or his department could not bring in a Bill. A Bill was brought in by my humble self but no action was taken on that Bill, or no attempt was made to present any Bill of that type. There has been no attempt even to get statistics of the unemployed.

During the last three years there have been so many strikes but only in two cases or, perhaps three, Conciliation Boards have been appointed under the Trade Disputes Act. It is a very simple procedure and we have been asking, nay, demanding that the Government should utilise the provisions of the Act and form Conciliation Boards or Arbitration Boards, but that is not done. Even to-day a strike of twenty-thousand people is going on and the workers are suffering as well as the public.

If the Government are at all interested in the workers or in the public, they would have immediately formed a Conciliation Board or an Arbitration Board and tried to settle the disputes. But they would not do anything of the kind. Only if any union in which the Hon'ble Labour Minister is interested is in trouble and if the employers do not listen to that union, then only a Conciliation Board is formed. That is what we have found in Gusuri. That is to some extent true also of the Board that was formed at Burnpur.

Then there is the Workmen's Compensation Act. This Act most of the employers are absolutely violating. In the Act we have got that if a man loses his limb or he is injured, he is to get compensation. But, I think, it is implied that the man is not to be dismissed. But, in 99 cases out of 100, a man would get a lump sum as compensation and would lose his job. For fear of losing their jobs, many workers do not want to go to the Compensation Court and by this the Act itself has become almost infructuous. The workers do not dare to take advantage of this Act.

(At this stage the member reached his time-limit, but was allowed two minutes more.)

I have not got time even to read the catalogue of the Hon'ble Minister's omissions and commissions, but I must say that the Labour Minister has really succeeded in making strikes very difficult. He was a strike-breaker before he become a Labour Minister. In that job he has done very well. Not only that, he has gone even much beyond that. Only yesterday, in the polling booths, not only in Labour centres but in all other centres, there were cries of "Muslim League Zindabad" and "Hon'ble Mr. Suhrawardy Zindabad". So, I predict that very soon Mr. Fazlul Huq will be in the same place as Mr. Nalini Ranjan Sarker and Mr. Suhrawardy will have the triple crown portfolios of Labour, Finance as well as that of the Chief Minister.

Mr. I. C. KENNEDY: Mr. Speaker, Sir, I should like, in the first place, to congratulate the Hon'ble Minister upon the way in which he has guided the activities of the Labour Department. The fact that Bengal has enjoyed, during the past year, comparative immunity from serious Labour troubles is in no small measure due to his solicitude for the well-being of its workers.

We hear, in this House, from time to time, severe criticisms of his methods which, we are told, unduly favour employers. Let me assure honourable members that this is very far from being the case, for employers know well how uncompromising a champion the Hon'ble Minister is of the rights of the workers of this province.

Now, Sir, it has been frequently pointed out in the House that the resources of agriculture are by themselves insufficient to ensure a reasonable standard of living for the population of Bengal, and that if

this is to be assured, an expansion of Industry is vitally necessary. Extension of industrial enterprise, I would remind the House, will mean increased responsibility for the welfare of workers not only on the part of employers, but equally on the part of the State.

An impression prevails in this province that employers alone should bear the financial burden of Labour welfare, but such a view, I consider, is utterly mistaken.

The Governments of all great industrial countries freely acknowledge the important part which industry plays in national economy; they foster it and encourage its development by assuming a large share of financial responsibility in schemes designed to promote the well-being and happiness, and consequently the efficiency of workers. No industry, Sir, can expand and prosper unless it possesses an efficient Labour force, and if industry is to expand in this province, Government must be prepared to play a larger financial part in ensuring the welfare of workers.

In Bengal, Labour welfare has a greater significance than in many other countries, because of the illiteracy and backward condition of the workers. Drawn almost entirely from remote village homes, they have nothing to guide them in the alien and often grossly insanitary surroundings of the great industrial areas, where they are only too frequently the prey of jobbers and tricksters. They must be protected as far as possible from the dangers of ill-health to which their new surroundings and a lack of any knowledge of hygiene expose them, and from the many pitfalls into which their lack of worldly wisdom may lead them. Sir, much has been done in Bengal for the welfare of industrial labour, mainly by private enterprise—a fact which receives little or no recognition—and also to some extent by legislation; but a great deal—a very great deal—still remains to be done before a satisfactory state of affairs can be said to exist.

Private enterprise and legislation have so far operated in a haphazard manner, and what is now urgently required is a definite and concrete plan of Labour welfare—a long range plan which can proceed smoothly as and when circumstances permit—a plan sufficiently flexible to meet the requirements of changing conditions.

There can be no doubt, Sir, as to the lines which this plan must follow. The greatest need in the industrial areas to-day is undoubtedly better housing and town-planning for these areas are, in effect, towns, some of them almost cities. It is not necessary to remind honourable members that in most of the districts where the industry of this province is concentrated, *bustee* housing conditions are a disgrace. Many mills and factories have already established housing schemes for their workers, with proper sanitation and water-supply, but these cannot accommodate all the workers, and many are compelled to live in the foully insanitary

hovels to which I have referred. Government have a definite responsibility in this matter, and a carefully prepared and progressive scheme of town-planning and slum clearance can no longer be delayed.

Then, Sir, there is the question of the general health of workers, and their care in sickness. Here, again, most large factories maintain dispensaries and trained medical officers to attend to their workers, but this work also requires to be co-ordinated and brought within the scope of the schemes controlled by the Public Health Department. Surely no districts require adequate hospital accommodation more than do the industrial areas, and probably no districts are worse served in this respect.

The third important feature of Labour welfare to which I would draw attention is the need for providing education for workers' children. There is no doubt, Sir, as many of us know, that the advantages of education are fully appreciated by even the most ignorant and illiterate workers, who display often a pathetic eagerness to obtain for their children what they themselves lack. Many mills and factories provide schools as part of their general welfare work; but here again, Sir, we have an important problem being tackled in a haphazard and disconnected way. Let such schools form the basis of a progressive plan for providing free primary education in the industrial districts. Ignorant workers, Sir, are inefficient workers and many of the present generation of children growing up in the vicinity of our mills and factories will be the workers of to-morrow.

In the short time at my disposal I cannot elaborate this subject further. Many other aspects of Labour welfare demand attention and, if the Government sincerely desire to promote and encourage the general well-being of industrial workers, I submit that the existing machinery is unlikely to achieve the best results.

It is imperative that they should enlist the help of employers on a representative body, a body which by its knowledge and experience would be able to assist and to guide both Government and the employers in their efforts to improve Labour welfare conditions in this province.

Dr. SURESH CHANDRA BANERJEE: Sir, I want to oppose the whole demand and in doing so, I wish to speak mainly on two subjects as my time is limited. These two subjects are—first, the dearness allowance, and, secondly, the application of Trade Disputes Act in Bengal.

Sir, before speaking on the subjects I have mentioned, I must congratulate my previous speaker for the few words about Labour welfare that he has spoken. Into the details of his plan, I need not go but about one thing I must say something. He has spoken about

the health of the labour population of Bengal. The health of labourers not only in Bengal but in the whole of India is bad in the extreme. Last year, while touring the whole of India as President of the All-India Trade Union Congress, I happened to visit the Buckingham Mills in Madras, one of the best mills in India. The Manager there took me round and was very proudly showing me the condition of the workers there. The condition of the biceps of almost all the labourers, however, struck me—they were weak and so undeveloped. Had the labourers been paid a little more, had the labourers been fed a little better, the condition of their biceps would have been much more improved. Of course, as the previous speaker has said, for better health of the labourers better sanitary conditions and better housing are necessary. But these are not enough. More food is also necessary and, as a matter of fact, almost 90 per cent. of the labourers in India are chronically starved. If my friend, Mr. Kennedy, once compares the condition of the physique of the labourers in his own country—how beautiful their bodies are, how nice and healthy they do look—with that of the labourers in this country, he will at once mark the great difference. But if the poor labourers in India could be fed in that way, their bodies also would be as beautiful and they also would be as muscular and as healthy as the former class of labourers are. So I hope he would consider this fact before he devises his plan.

Sir, I will come at once to the dearness allowance. We had a discussion—a prolonged discussion—as regards dearness allowance on the 1st of March last, while discussing on the war bonus resolution. In the course of discussion of that day, I submitted before the House a list of prices of articles—both the pre-war price as well as the present price. At that time, I also worked out and showed the percentage of increase of different commodities. Now, after that, the Government in their official organ "Bengal Weekly" on the 18th March, 1940, has published a big list showing the prices of different articles in August, 1939, that is, the pre-war price and also the current price. Unfortunately, various prices have been shown for the same commodity. So they have not been able to work out any percentage of increase. Hence, no definite comparison can be made, but I do not know how the Government has come to the conclusion that at present the cost of living is between 7 and 8 per cent. higher than what it was immediately before the declaration of war, that is, according to Government, the increase in percentage is not more than 7 to 8. But I showed in the course of the discussion of 1st March last that the increase must have been by more than 25 per cent. So, I thought it my duty to go into the prices of articles again, and having collected the prices from various sources beginning from Cossipore on the north and up to Matiabrus to the south, I have again found out the prices to be as follows at present. Of course, I quite agree with the Government when it says that the

price has in the course of the last month decreased slightly. That is absolutely correct, but even after the present decrease, the percentage of increase is still more than 25, and into that I shall go now.

I am quoting what I found out—

Rice (Coarse Patnai): Pre-war price, Rs. 4-4 per maund; price on the 19th March, Rs. 5; so the increase has been by 22 per cent. In my former list it was 25 per cent. and now it has decreased to 22 per cent. So, there is a slight decrease.

Dal: Pre-war price for a seer of Arhar was annas 1-9. Then on the 15th of February it was annas 3; on the 19th March, annas 2-6; so there is a decrease of six pies. But the increase as compared to the pre-war price is by 40 per cent.

In the case of Masur Dal I found an increase of 25 per cent; in the case of Mug Dal an increase of 25 per cent.; in the case of Kalai Dal 25 per cent., in the case of Mustard Oil the increase is still 55 per cent.; in the case of Cocoanut Oil the increase is 20 per cent.; in the case of Kerosene Oil the increase is 25 per cent.; in the case of Ata 40 per cent., in the case of Sugar 25 per cent.; in the case of Sugar-candy 55 per cent.; in the case of Jira 20 per cent.; in the case of Dhania 50 per cent., in the case of Turmeric by 50 per cent., in the case of Soap by 33 per cent, in the case of Betelnut, no increase; in the case of Ghee by 20 per cent.; in the case of Dhoti by 40 per cent.; and in the case of Markin Than by 40 per cent. So, even after this slight decrease in the course of this month, the increase compared to pre-war prices is even now much more than 25 per cent. So, my demand for at least a 25 per cent. increase as war allowance is fully justified, even after the slight decrease that has taken place this month. In this connection I would ask the Hon'ble Minister to show us how he has actually worked out this increase of 7 to 8 per cent. Unfortunately I have got no time, otherwise I could have given you the prices of all the articles. I cannot do it now, because the bell will probably just now ring.

I know, Sir, probably some members from the European Group will say that from 8th April the number of working of hours of jute mill labourers will be decreasing from 60 to 54 and thereby the honourable member will try to establish that there has been a decrease in the demand for jute manufactures, and therefore this demand though legitimate cannot be granted. But subsequently it has been brought to our notice, that after this decrease in the number of working hours has been declared, the jute mill-owners have got a very big order, and this order has improved their condition to a large extent. As the war is going on and as there is no probability of the war decreasing or stopping in the near future—rather we apprehend it will

go on increasing—so there will be no decrease in the demand for jute manufactures in the long run. So, I hope the jute mill-owners will see the justice of my demand and agree to it.

Then I must come to another point. I would like to refer to the Trade Disputes Act. A few days before a question was put to the Labour Minister as to how many cases of trade disputes there were in Bengal in the course of the three years during which Provincial Autonomy has been working and how many cases were referred to the Labour Commissioner under the Trade Disputes Act for arbitration, conciliation or enquiry and in how many of these cases did Government interfere. The answer of the Government was that probably there were about 150 cases of trade disputes which were directly referred to Government out of which in only three cases the Government interfered. Sir, you know that this Trade Disputes Act came into force since 1934. There is not much defect in the Act, but owing to the unwillingness of the Government to apply the Act on a large scale, this miserable condition exists, that is, out of 150 cases, to only three cases this Act has been applied. Unfortunately, in this Act there are two words "may" and "shall". That is, if there be a dispute, and of the two parties to the dispute if one party only applies to the Government, the Government may or may not apply the Act, and our Government is taking undue advantage of that word "may," because the Government is aware that in a place like Bengal where there is practically no relationship between the employers and the employed——

(The member having reached the time-limit resumed his seat.)

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, I would like to refer before I take up the uninformed criticism of the Hon'ble Labour Leaders who have somehow or other managed to smuggle themselves——

Mr. SIBNATH BANERJEE: On a point of order, Sir. On a previous occasion, it was decided that we should be called as Labour Members and not as Labour Leaders or anything like that. We do not mind being called Labour Leaders, but——

The Hon'ble Mr. H. S. SUHRAWARDY: I withdraw, Sir. They are not Labour Leaders. They never led Labour. They will never lead Labour, and if they are ever given a chance to lead, they will only mislead it.

Before I refer to the uniformed criticism of the two honourable members who are misleading Labour, I would like to refer to the constructive criticism of Mr. Kennedy. Sir, I am indeed gratified to find that the employers are generously desirous of promoting the welfare

of Labour, and I shall certainly take advantage of the offer that he has made for the formation of a representative body of employers in order to discuss welfare conditions and measures for the advancement and promotion of Labour welfare. This is a matter, Sir, which will have my most earnest consideration, and I hope that we shall be able soon to convene such a committee which, if there is earnestness on the part of the employers, will do something really worth while for the welfare of Labour. Sir, Mr. Kennedy has referred to certain aspects of Labour welfare, and he has particularly directed the attention of the House to the responsibility of Government to promote the welfare of Labour. In particular, he has commented upon three aspects,—better housing, health and education. He has with a certain amount of justifiable complacency pointed out that some employers,—and here we must give credit to a very large extent to the European employers,—have gone in for housing conditions for housing labour and providing them with water and other amenities, whereas others such as local bodies, the Calcutta Corporation, for example, have failed to appreciate the desirability of improving the living conditions of the labourers in the insanitary *bustees* in which they have to live. Sir, I must confess that there is a certain responsibility on Government in respect of improving the housing conditions of the labourers. This is a matter, Sir, which I have been considering. As Mr. Kennedy probably knows, this is a matter which a poor Government like the Government of Bengal can hardly undertake. I do not say that we will not undertake it, but we will have to undertake it in a manner which is within our resources. When about a year ago, I had occasion to go to England, I examined the schemes of the London County Council for clearing some of the slum areas and for putting up houses for the poor and the labouring classes. The drain on the resources of the London County Council had to be met by taxation, coupled with the subsidies, and I was left with the impression that a scheme of that nature would be quite beyond the resources of any Indian Government, provincial or central. Nevertheless, it is a matter which must be considered, and I hope, Sir, that in this connection the municipalities and the employers will share the responsibility with Government.

On the question of health and education, everyone supports their utility. We are considering certain co-operative insurance schemes, but the success of these schemes of course depends upon the contribution the labourers are prepared to make, but as long as the idea prevails that Government or the employers must provide for everything for the labourers and the labourers must not contribute anything at all for their own welfare, it is not possible to put across any schemes of this nature. In the matter of education of the workers' children, this is a question, Sir, which really ought to be tackled by all the three parties interested, namely, Government, employers and the labourers. And I feel, Sir, that on this point Mr. Kennedy is not on very good grounds as the employers have not done as much as might

be expected of them in the matter of education. After all, education, does not cost them a considerable amount, and I do hope, Sir, that he and his party will consider the question of providing education for the labourers' children who ultimately, on his own showing, will become labourers in their mills to their mutual advantage.

Mr. Sibnath Banerjee has drawn my attention to the strike of 20,000 labourers and scavengers who are out and said that, so far as he knows, Government has done nothing to relieve the situation. Of course, he does not know what has been done. Whenever I do a thing I do not take Mr. Sibnath Banerjee into my confidence. I have had an interview with the Chief Executive Officer, although frankly speaking it is the Calcutta Corporation who are primarily responsible in this matter, and I have very little *locus standi*. This is a matter, Sir, which an autonomous statutory body like the Calcutta Corporation ought to be in a position to handle, and we shall come in only if they are not in a position to adjust the matter. It is said, Sir, that we should have stepped in and done something to relieve the situation. Now, Sir, the leaders of the labourers have in no way approached the Government, and I do not know to what extent they have approached the Corporation. Probably, they have approached the Corporation and have asked that body to adjust their differences. In spite of this fact I went out of my way to ascertain facts and to what extent the Chief Executive Officer proposed to deal with the grievances of the labourers and to adjust those that were genuine. I am in communication with him on that question. I do not know to what extent he himself without the support of the Calcutta Corporation will commit himself in any negotiations. But I do hope that if there are genuine grievances, those grievances will be redressed.

Mr. Sibnath Banerjee has also stated that while encouraging sound trade unionism which he does not understand—I never expected him to understand sound trade unionism; he has only admitted his ignorance in that respect—while doing so, I have introduced communalism into trade unionism. There can be no greater untruth than that. Where any communalism has been introduced, it has been introduced by my friends opposite, and I have ample evidence that when they found their influence dwindling in the Labour areas and when instead of finding a crowd of 20,000 or 30,000 to listen to them, they find only 200 or 300 people, they go on preaching communalism and hatred against this Government by libelling this Government as a Muslim Government and calling upon the Hindu labourers to rise against it. That is what my friends opposite have done and they know perfectly well to whom I am referring. In every public declaration of mine, in every public speech that I have made—and recently I had occasion to preside over the Labour onference at Kankinara which was attended by nearly 50,000 labourers—I made it absolutely clear in very forceful language that on no account will this Government——(Rai HARENDRA

NATH CHAUDHURI: You made it perfectly clear, but you cannot express yourself now.) I shall continue after my friends have finished saying what they have got to say. As I was saying, Sir, on no account will this Government encourage communalism of any kind, but will make every possible effort to crush communalism in labour circles. (Cries of "Hear, hear," from Coalition benches.) I consider that, so far as the Labourers are concerned, their greatest enemies are those who promote communalism amongst them. The labourers have to live side by side with each other. Most of them are illiterate; many of them do not quite understand their rights and privileges. And if they are excited, if they are pitted against one another, there can be no peace in Labour areas. I can tell them that our policy of discouraging communalism which my friends opposite have taken certain steps to encourage has resulted in far greater peace in Labour areas than what existed previously.

Mr. Sibnath Banerjee thereafter stated that whereas I have declared that I am prepared to receive representations and to request the labourers to act in a constitutional manner and to present representations before they go on strike, I have not, in fact, listened to the representations of the employees of steamer companies. Now, Sir, a more grossly misleading statement could not have been made by a responsible member of this House. The representation that was made by certain employees of steamer companies was not a representation by the men who could go on strike but by persons who were dismissed 2 or 3 years before we came into office—some time in 1935—owing to the activities of irresponsible agitators; at that time Mr. Sibnath Banerjee was only a labour leader; he was not a labour member as he is now. He actually misled the poorly paid employees of the steamer companies. The steamer companies gave them every facility to come back, but Mr. Sibnath Banerjee got it into his head at that time that he would be able to establish his Mazdoor Raj possibly of the Moscow brand if he could manage to keep them out, and the result of it was that 1,200 unfortunate persons had to be dismissed. Every opportunity was given to them to come back to work, but they did not come back to work until the time expired, and thereafter they had to go about from door to door asking to be taken back. I went into the whole question thereafter; I called for reports from the steamer companies; I had a discussion with them in the matter; I spoke to the representative of those unfortunate persons who had been dismissed owing to the activities of Mr. Sibnath Banerjee, but, unfortunately, I must confess, I could not do anything. In fact, all of them were dismissed and the steamer companies were not prepared to take them back. The question, therefore, does not arise that these persons sent up representations to go on strike, and that I did not listen to them. Now, Sir, two honourable members who represent labour have complained that I have not made more use of the Trade Disputes Act. Dr. Suresh

Chandra Banerjee has misunderstood the answer that I gave in that connection. What I said was that there were 125 disputes and in only three instances was the Trade Disputes Act applied, but it does not mean that the other 122 disputes in which the Trade Disputes Act was not used were not settled at our intervention. It is not necessary to apply the Trade Disputes Act if the parties come to a settlement; and if we intervene and bring about that settlement. The whole object of the Labour Department is to watch labour activities. If there is a dispute or a strike, we often intervene, sometimes without being called by either party, and sometimes again when we are appealed to by one party or the other. We have been successful owing to the tact and foresight and the very hard work which the Labour Commissioner has put in in this matter. Sir, we have been successful in averting many a strike and settling many a strike which otherwise would have dragged on. (Dr. SURESH CHANDRA BANERJEE: Were all these published in your "Bengal Weekly"? What about the cases in which you failed to make a settlement?) Sir, Dr. Suresh Chandra Banerjee has said that the biceps of the Madrasi labourers ought to be more developed. Sir, biceps scarcely depend for their development on higher wages; they have something to do with the constitution of the Madrasis. We have another type of labourer here also which on the wages that they earn has developed a pretty strong constitution and I hardly think, Sir, that the development of the biceps has to any appreciable extent been determined by the wages. Sir, Dr. Suresh Chandra Banerjee has read out a certain statement with regard to the prices of certain articles—the pre-war and post-war prices—as he did on the last occasion when a resolution was discussed on the floor of this House. They were misleading and unreliable. We wrote a letter to Dr. Banerjee asking him to let us know from which shops he had gathered these prices, but the gentleman did not favour us with a reply; on the other hand, he published a letter with a similar series of prices yesterday which we are checking up again, and I have no doubt that we shall find them misleading on this occasion as well. There is one thing which I would like to point out to Dr. Banerjee, and I would request him on account of the seriousness of the consequences of his activities not to mislead the labourers on this question any further. We have taken pains definitely to point out to the labouring population and to the world at large what has been the increase in the present prices. Dr. Banerjee does not understand how an increase in the cost of living is to be calculated. He thinks that by making a statement that prices have gone up in some cases by 25 per cent., and in others by 40 per cent., the increase in the cost of living can be calculated by striking an average. Take an example—suppose the price of kerosene has gone up by 25 per cent. But it does not mean that the entire wages the person earns is spent on kerosene, that he drinks kerosene, he eats

kerosene, he clothes in kerosene or pays rent in kerosene. Therefore, in order to ascertain what has been the actual increase in the price, we have got to find out how much of the workers' budget goes on food, on clothes, and rent, etc., and then again in calculating this rise we have to pay attention to the weightage attachable to each article. We must ascertain how much will be spent on turmeric, on onions, on salt and how much on atta, rice and so on. Sir, in Madras which was till recently governed by the Congress Government and in which the present Government is still carrying on that Government's policy, it is stated, I believe, that the price index is 105. We do not differ much. Our index is 107. As a matter of fact as against 105 of Madras we have 2 points more than Madras has, and I can assure the House that every fortnight I examine these figures for the purpose of finding out whether there has been an increase in the prices, because I think it is my duty to give correct figures to the public, the employers as well as the labourers. Therefore, Dr. Banerjee should not continue to mislead the labourers. He should not continue to make statements which have brought about a situation in Calcutta which is most deplorable; the tempo of strikes, of agitation is rising on account, to a very great extent, of the activities of gentlemen like Dr. Banerjee, and I would request him to use his influence to bring about peace rather than to excite the labourers by making incorrect statements and by putting hopes into their hearts which cannot possibly be fulfilled. What is the use for example of inciting the scavengers to put up a demand for a rise of 25 per cent. in wages if as a matter of fact the prices, have risen by only 9 per cent. above the pre-war rates? Is it proper that the Labour leaders should go amongst the labourers and continue to excite them and ask them to insist on a 25 per cent. increase and cease their work until they get it? There is one appeal which I would like to make to the Labour members here that instead of trying to embarrass—not Government, I do not care if you embarrass Government because we are strong enough to take care of ourselves—the labourers and put them in a false position and dislocate their work, they will do far better to go amongst them and tell them how they can improve their condition by self-help.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister make this appeal to 200——

Mr. SPEAKER: Order, order. I should not teach you parliamentary manners. I think there is a limit to everything.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir, I submit that the rules of this House lay down that a member may rise and make observations on points of personal explanation and on points arising in the course of the debate. Sir, you, as the Speaker

of this House, need not be reminded of this privilege which belongs to the members. In rising up I did no more than exercise that right which is inherent in every member and you should be the first to see that the members are in no way interfered with in exercising that right.

Mr. SPEAKER: Which rule are you referring to?

Mr. NIHARENDU DUTTA MAZUMDAR: If you give me a copy of the rules, I shall be able to point that out.

(Mr. Speaker directed the Secretary to give a copy of the rules to Mr. Mazumdar.)

Mr. SIBNATH BANERJEE: That is the practice all over the world.

Mr. SPEAKER: It is no use discussing. I think, Mr. Mazumdar, you will remember that I have been most willing to give every opportunity to members to make personal explanations where necessary. But I don't think I should be a party to the interruption which has been made. If you wanted to rise on a point of personal explanation, under the rule, you could only do so with my permission. I think when a debate has been closed, without taking my permission, you cannot make any observations. If you refer to the rule, you will see that you have got to get my permission and if I don't give it, you cannot rise.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 4,77,000 be granted for expenditure under the head "47—Miscellaneous Departments" was then put and agreed to.

30—Ports and Pilotage.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 4,84,000 be granted for expenditure under the head "30—Ports and Pilotage."

The motion was then put and agreed to.

56—Stationery and Printing and Depreciation Reserve Fund—Government Presses.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 23,48,800 be granted for expenditure under the head "56—Stationery and Printing and Depreciation Reserve Fund—Government Presses."

The motion was then put and agreed to.

22—Interest on Debt and Other Obligations.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,000 be granted for expenditure under the head "22—Interest on Debt and Other Obligations."

The motion was then put and agreed to.

55—Superannuation allowances and pensions, 55A—Commutations of pensions financed from ordinary revenues, and 83—Payment of commuted value of pensions not charged to revenue.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 76,99,000 be granted for expenditure under the heads "55—Superannuation allowances and pensions," "55A—Commutations of pensions financed from ordinary revenue," and "83—Payment of commuted value of pensions."

The motion was then put and agreed to.

57—Miscellaneous.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 77,93,000 be granted for expenditure under the head "57—Miscellaneous."

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. I had occasion just to refer to the rule. You were kind enough to say that a member could only with the consent of the Speaker make his observations. May I draw your attention to rule——

Mr. SPEAKER: Not with the consent, but with the permission.

Mr. NIHARENDU DUTTA MAZUMDAR: Not even permission is mentioned. It says that, "he shall ask the question through the Speaker."

Mr. SPEAKER: Don't make any confusion. Are you referring to rule 14 or not?

Mr. NIHARENDU DUTTA MAZUMDAR: Not rule 14, but rule 11. It says:—

"When, for the purpose of explanation during discussion, or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker."

I submit, Sir——

Mr. SPEAKER: You did not do that. I am not going to hear any more explanation.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. May I make my submission? I do submit most respectfully that I should have the right to make my submission, and I cannot be asked to sit down peremptorily.

Mr. SPEAKER: If you want to refer to the incident, the matter has been closed. But if you want to make any submission, it must be on a point of order.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, may I only just mention, in order to avoid such incidents in the future, it would be much better if the Hon'ble Minister did not start lecturing as if he was lecturing to schoolboys and admonishing the members every now and then. He should have made a statement on the Government policy instead of always saying that, "such and such a member is misleading and is doing this or that." That occasions all these interruptions.

Mr. SPEAKER: I am sorry, Mr. Gupta. I do not want to go into the comparative merits of the Hon'ble Minister and others. If I am to do so, I have to apply the brush on all sides.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. You refer to rule 14. I don't refer to that rule——

Mr. SPEAKER: To what rule do you refer?

Mr. NIHARENDU DUTTA MAZUMDAR: I refer to rule 11. With regard to your pronouncement that a member can make his observations with the permission of the Speaker, my submission is that

such permission is not necessary for making observations arising out of a matter before the House.

Mr. SPEAKER: For the time being, my decision on rule 11 is that "he shall ask the question through the Speaker" means "he shall ask the question with the permission of the Speaker." If the Speaker does not give his permission, the member cannot put his question.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, my point of submission is this. It is implicit in the wording of section 11, which contemplates the necessity which may inevitably arise in the course of any discussion that a member may make observations,—not a speech, not a personal explanation,—and while making such observation what that member has to do is to rise up, not to address another member direct, but through the Speaker to put a question or make an observation. That is what I wanted to do.

Mr. SPEAKER: I am sorry I have repeatedly given my decision about the intention of rule 11. It does not give an inherent right to a member to put a question because if that is so, the legislative proceedings would be impossible. In any case, I do not want to enter into discussion about this matter as I have decided that point. If a member has to ask either for an explanation or a personal explanation which is under rule 14, he must say on what he is rising. He cannot leave it vague. It is very convenient for Mr. Dutta Mazumdar to say, "I do not ask under rule 14 but under rule 11."

Mr. NIHARENDU DUTTA MAZUMDAR: No, Sir, I said under rule 11.

Mr. SPEAKER: I have already given my decision.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of privilege, Sir——

Mr. SPEAKER: No.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir——

Mr. SPEAKER: I have decided the point of order and there cannot be any discussion on that point of order.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I am not referring to that point. I am raising a new point of order. It is this: when a member wishes to raise a point of order——

Mr. SPEAKER: I am sorry, you will have to raise it after the budget discussion is over. You cannot obstruct the proceedings for the time being.

Maulvi WALIUR RAHMAN: Sir, I beg to move that the demand of Rs. 77,93,500 under the head "57—Miscellaneous" be reduced by Rs. 100.

Sir, if any member of this House takes a little trouble to scrutinise and analyse the provisions under this head, he will be in a position to realise that this Government is not at all a popular one, but it is more bureaucratic than that before the advent of the new constitution. It appears that no provision has been made for giving any allowance to the unfortunate persons externed, interned or imprisoned for their political activities. It would have been a matter of great pleasure to the people of this country if they were allowed to organise themselves to save themselves from the oppression of that section of the people who have vested interests or if the people holding different views from those of the present Government party were not suppressed from giving expression to their own political views or if the Government would not take advantage of the outbreak of the present European war for taking action under the so-called India Defence Act or similar notifications to extern, intern or imprison the political workers who happen to be politically opposed to the Government party.

(The House was then adjourned for 15 minutes.)

(*After adjournment.*)

Maulvi WALIUR RAHMAN: As the Government is already determined and has actually begun to suppress the Proja workers and to extern, intern or imprison them, there should have been some provision made for looking to their needs. Even the bureaucratic Government before the advent of the new constitution could not refrain from making arrangements for giving allowance to the internees and State prisoners, but this so-called popular Government appear to be more iron-handed than the old bureaucratic Government in this matter. With a political motive, the present Government appear to have taken an attitude which is not at all desirable or becoming a popular Government. Though the people of any democratic country have got the legitimate right to organise themselves, the unfortunate people of this country are not allowed to do so, save and except those who belong to the Government party who have been carrying on without any hindrance an *ex-parte* propaganda against the people who hold different views from those of the Government party. Even when they desire to hold meetings, they have not to take any permission under the Defence of India Act.

If anybody looks into the items of donations provided in the Budget to many institutions, he will find that the Government is not at all anxious to do anything beneficial to the poor millions of this country, but they are always anxious to please the foreigners. It appears that huge donations have been made to the District Charitable Society, Calcutta, Protestant Home, Salvation Army, St. Joseph's Home, Rescue Homes and St. Vincent's Home, and provision has also been made for the European vagrants. So far as we know these institutions are nothing but Christian missionary ones. Their functions and activities are nothing but to preach their own faith directly and sometimes indirectly. It is curious to see that they are given advantage of the public revenues to preach their faith, but we, the Hindus and the Muslims of this country, are denied the same advantage.

Let us now come to the question of provision for vagrants. An amount of Rs. 7,000 has been allotted for the Indian vagrants and Rs. 4,600 for the European vagrants. Now, Sir, anybody can realize whether the scanty amount of Rs. 7,000 is sufficient to help the Indian vagrants including the ship-wrecked mariners and insane persons for their passage and diet money sent to and released from the mental hospital. Mainly for these purposes the allotment is made. It is amazing that millions of vagrants are roaming through the city every day and many are spending their lives on footpaths, mainly depending on public charity, unnoticed and uncared for, but you will not find a single European vagrant in the same wretched condition. From this any man can realize that the allotment for the Europeans is more than sufficient and the present Government is not for the people of this country, but for the Europeans. Besides this, the ship-wrecked mariners are not helped in the interests of this country, but in the interests of the ship-owning company. It is the duty of the company to help them when in distress. From this it is easy to understand that the European interest has been given preference to that of the people of this country. So I request the Government to revise the policy to the best interests of the people for whom they hold the position as their representatives.

Mr. SHAHEDALI: Sir, I beg to move that the demand of Rs. 77,93,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100.

Perhaps, the Hon'ble Minister is aware that there is a division by the name Chittagong Division in this province and there are also some members in this House who are hailing from that division. A differential treatment has been accorded to this division——

Mr. SPEAKER: I am sorry to interrupt. But to-day we sit up to 8 o'clock and the guillotine will fall at 7.

Mr. SHAHEDALI: A differential treatment has been accorded to this division simply on the ground that there was no need of any money for any charitable institution. We also find this time in distributing their patronages Government have bestowed their patronages only to two districts, namely, Dacca and Barisal. In the district of Dacca they have given a grant of nearly Rs. 25,000 to Sir Salimulla Orphanage and Rs. 288 to the Muslim Orphanage. But in the division of Chittagong also there are poor people. There is also an orphanage at Chittagong. That matter was brought to the notice of the Government last year by several speeches, but the Hon'ble Minister did not do anything for that particular division, simply because the members in the Coalition Party coming from that division have got no voice. One Khan Bahadur from Chittagong Division threatened the Chief Minister with death by poison if his nominee did not get the post of a Muhammadan Marriage Registrar. I would ask the particular Khan Bahadur if he could threaten the Chief Minister with death by poison if no grant is given to the charitable institution of the Chittagong Division. This will be more honourable than seeking nomination for service as Marriage Registrar.

With these words, Sir, I resume my seat.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I am at a disadvantage in being unable to meet the criticisms of the honourable members who have spoken, because I have not been able to follow a word of the very illuminating speech of Mr. Waliur Rahman nor have I understood the arguments advanced by Mr. Shahedali. I may point out to this latter gentleman that so far as provision for money for charitable institutions is concerned, this money which is to be found under the head "Miscellaneous" is not a sum of money which is allottable either to divisions or allottable every year. There are certain organizations and charitable institutions that Government have recognized, and donations are given to them year after year, not through the respective departments, but through a Miscellaneous Department distinctly as donations for charitable purposes.

You will find, Sir, that these donations are given to institutions widely different in their objects—some are under the Education Department, some under the Local Self-Government Department, while others are institutions such as the St. Joseph's Home for the aged and Calcutta Sailors' Home, Rescue Home and so on. And we are not aware, Sir, as yet whether there are charitable organizations in Chittagong that deserve to be in the permanent list. I have no doubt that if there are similar charitable organizations, whether they be in Chittagong or in any other part of the province, they will be sympathetically dealt with.

The motion of Mr. Maulvi Waliur Rahman that the demand of Rs. 77,93,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Shahedali that the demand of Rs. 77,93,000 for expenditure under the head "57—Miscellaneous" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 77,93,000 be granted for expenditure under the head "57—Miscellaneous" was then put and agreed to.

Deposits and Advances.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,05,000 be granted for expenditure under the head "Interest Free Advances."

The motion was then put and agreed to

Deposits and Advances.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 14,17,000 be granted for expenditure under the head "Loans and Advances bearing interest."

In moving this grant, I desire to point out, Sir, that an error has crept in in the Budget. My attention has been directed to a statement at page 158 of the Blue Book (Mr. JOGESH CHANDRA GUPTA: Blue Book or Red Book?) that in the revised estimate of this year a loan of Rs. 50,000 has been provided for the Hon'ble Nawab Bahadur of Dacca. There is no such proposal in existence. I have tried to ascertain how this statement came to be made in the book. It was neither in the Budget of the current year 1939-40 nor in the supplementary demand which was moved in July, nor in the supplementary demand which is going to be moved to-morrow. It is in none of these items. There was some proposal for an advance of a loan to the estate of the Nawab Bahadur to meet certain obligations. This matter was examined by the Finance Department. Certain conditions were laid down and they were rejected, and the proposal dropped. Apparently, Sir, the Finance Department was not unaware of the fact that the proposal had dropped and that the conditions laid down had been rejected, and so in the revised estimate provision has been made for it, though it appeared in none of the three Budgets. In fact, there is no idea of paying this amount.

Maulvi ABU HOSSAIN SARKAR: On a point of information, Sir. May I know whether the loan was proposed to be granted to Nawab Bahadur personally or to his estate?

The Hon'ble Mr. H. S. SUHRAWARDY: To his estate.

Mr. JOGESH CHANDRA GUPTA: May I, Sir, under section 11 ask for an explanation from the Hon'ble Minister whether in saying "Blue Book" he really meant the Red Book? (Laughter.)

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, I meant the Red Book.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 14,17,000 be granted for expenditure under the head "Loans and Advances bearing interest" was then put and agreed to.

63—Extraordinary Charges in India.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 12,10,000 be granted for expenditure under the head "63—Extraordinary Charges in India."

Dr. NALINAKSHA SANYAL: Sir, I would just like to make a few observations on this Budget grant, not so much with a view to seek to reduce the grant, because I know some amount of this money is likely to come from the Government of India, but to move a reduction by Rs. 100 to discuss certain questions of principle.

Sir, I find that in this new head appear some items like precautionary measures in connection with the war, air raid precautions, expenditure and price control expense.

With regard to some of these items, I find that the details are not available. It is quite possible that for military reasons the details are held back. But I would like to have an assurance from the Hon'ble Minister in charge that the rules regarding financial provision are strictly followed, and specific and healthy control that is necessary may not be slackened to see that no amount of money is frittered away without proper scrutiny. That is the principle on which we would like to have an assurance from the Hon'ble Minister.

With regard to price control, we have had a considerable amount of difficulty in following the methods or principles that are generally adopted by the department of price control. From commercial men we have had many complaints in this connection. At this fag end of the Budget session, it is neither possible, nor is it desirable, to go into

details of such complaints. But I would like to have an assurance from the Hon'ble Minister concerned, that is to say, from the Hon'ble Minister in charge of Commerce, if he is in a position to state definitely that in course of this price control that is being exercised in Bengal the interests of the poor agriculturists will be properly and duly looked into and no attempt will be made to compel them to sell their products at a cheaper rate merely to help exports for war purposes. There should be no attempt to control the prices of agricultural products, particularly the agricultural products of Bengal.

Secondly, Sir, I have had complaints sent to me as representative of the Bengal National Chamber of Commerce from various districts where the executive authorities interfere with the ordinary and usual business of merchants on the ground of price control. I would like to have an assurance from the Hon'ble Minister in that connection too, and while we would certainly welcome some amount of special check on profiteering, we would like to request the Hon'ble Minister that in the name of checking profiteering the normal business profits may not be taken away. I must give him five minutes to give a suitable reply that in these two respects, namely, price control and expenditure on war purposes, a greater amount of scrutiny will be exercised than appears to have been exercised in the past.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the Hon'ble Finance Minister can speak on both the points. So he may be asked to speak.

Mr. SPEAKER: All right.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in respect of the expense on air raid precautions I can assure the House that the rules are being strictly observed and there will not be any laxity in this matter; as a matter of fact, the Finance Department has got into very bad odour even with our supporters for the rigorous manner in which it has observed the rules. I hope we will continue in that form, fearlessly observing the rules to the best of our ability.

With regard to price control, Sir, I have already announced that the policy of Government is in no way to control the price of the agricultural commodities so far as the upward tendency is concerned, and I do not think, Sir, that there will be any attempt merely to benefit the exporters or benefit the purchasers of exports in other countries, unless, of course, it is done with the consent of the House in those cases where high prices may ultimately lead to future ruination of the agriculturists themselves.

On the other hand, if at all, this Government will try to see that the prices of agricultural commodities are maintained. Possibly Dr. Sanyal was thinking of jute when he referred to this matter. I have no doubt that this will continue to form our chief difficulty and we shall try to safeguard the interests of the agriculturists in this connection. We shall see that the price does not fall by manipulation below a level which would benefit the agriculturists. (Dr. NALINAKSHA SANYAL: What about paddy, *dal*, etc.?) So far as paddy and other commodities are concerned, the price has risen and is rising. I do not know what steps should be taken if prices go up. We may take steps if they go down. Dr. Sanyal has said that we should allow normal business profits to be earned. What are normal business profits is difficult to ascertain, because before the war business was hardly earning any profits at all. We have known of certain cases where persons have sold at cost price and sometimes even below cost price in order to be able to get the price of one tin of kerosene oil or one box of wood, and nevertheless when we do fix a price we do give due consideration to this desirability of allowing a margin for profit, and to see that if the poor man gets his goods at the lowest rate possible the business man also does not lose. (Cries of "We have reached 7 o'clock".)

The motion of the Hon'ble Khwaja Sir Nazimuddin that a sum of Rs. 12,10,000 be granted for expenditure under the head "63—Extraordinary Charges in India" was then put and agreed to.

Mr. SPEAKER: That finishes all the Budget demands. Secretary will now read the three messages received from the Council.

Messages from the Bengal Legislative Council.

The Secretary then read the following messages received from the Bengal Legislative Council:—

"The Bengal Legislative Council at its meeting held on the 28th of March, 1940, agreed to the Administrator-General's (Bengal Amendment) Bill, 1940, without any amendment.

"The Bengal Legislative Council at its meeting held on the 29th of March, 1940, agreed to the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940, without any amendment.

"The Bengal Legislative Council at its meeting held on the 28th of March, 1940, agreed to the Official Trustees (Bengal Amendment) Bill, 1940, without any amendment." (Cheers.)

Point of Information.

Maulvi ABU HOSSAIN SARKAR: Sir, at page 158 of the Red Book we find that some mistakes are creeping in there.

Mr. SPEAKER: With regard to that as the Budget is already finished, I am *functus officio* and have nothing any longer to do with it.

I may now state that we are going to meet to-morrow at 11 o'clock in the morning and close at about 1 p.m. On Monday, the House will meet for just 10 minutes only to get the authenticated schedule. So, as there will not be much of business we can perhaps meet at 5-30 p.m. that day.

The Hon'ble Khwaja Sir NAZIMUDDIN: We can perhaps meet at 6 o'clock, Sir.

Mr. ABDULLA-AL MAHMOOD: Sir, why not make Monday a holiday and meet on Tuesday five minutes earlier?

Mr. SPEAKER: On Monday which is the first of the next month members are going to get their allowances and salaries, and so I hope it is to their interest to meet on Monday. (Laughter.)

Dr. NALINAKSHA SANYAL: Sir, as there are a good deal of questions, why not meet at 5 o'clock?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think, Sir, 5-45 p.m. would be the best.

Mr. SPEAKER: All right, I agree. So to-morrow we are meeting at 11 a.m. and on Monday at 5-45 p.m. for about half an hour.

Adjournment.

It being 7-5 p.m.—

The House was adjourned till 11 a.m. on Saturday, the 30th March, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 30th March, 1940, at 11 a.m.

Present:

MR. SPEAKER (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 7 Hon'ble Ministers and 188 members.

Want of quorum.

Dr. SURESH CHANDRA BANERJEE: Have we got the requisite quorum, Sir?

Mr. SPEAKER: No. Please ring the bell.

(The bell was rung and more members came in.)

Mr. SPEAKER: Now there is quorum.

STARRED QUESTIONS

(to which oral answers were given)

Communal ratio in appointments of Superintendents and Inspectors of Excise.

*262. **Maulvi AZHAR ALI:** Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*a*) the existing number of

(1) Superintendents, and

(2) Inspectors of Excise

in the Province showing separately the number in each of the cadres of—

(*i*) Hindus,

(*ii*) Muslims,

(*iii*) Scheduled Castes, and

(*iv*) others?

(*b*) the number of appointments made since 1937 up to now in each of the cadres of—

(1) Superintendent, and

(2) Inspectors of Excise

showing separately the number in each cadre of—

(*i*) Hindus,

(*ii*) Muslims,

(*iii*) Scheduled Castes, and

(*iv*) others?

(*c*) If no Muslim has been appointed as Superintendent of Excise after 1931 and up to now, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) Will the Hon'ble Minister be pleased to state what steps the Government propose to take for the maintenance of 50 per cent. ratio for Muslims in the Bengal Excise Service (Senior)?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) and (*b*) Statements are placed on the table.

(*c*) A retrenched Muslim Superintendent of Excise was reappointed in 1937

(*d*) The general orders on the subject are clear. No special steps are necessary

Statement referred to in the reply to clause (a) of starred question No. 262.

Name of appointment.	Number of posts.	Number of—			
		Hindus.	Muslims.	Scheduled Castes.	Others.
Superintendent of Excise.	15	7	7	..	1*
Inspector of Excise.	51†	23	22	..	..

*Christian. †Six posts are vacant.

Statement referred to in the reply to clause (b) of starred question No. 262.

Name of appointment.	Number of appointments made since 1937.	Number of—			
		Hindus.	Muslims.	Scheduled Castes.	Others.
Superintendent of Excise.	5	3	1	..	1*
Inspector of Excise.	6	3	3	..	.

*Christian.

Settlement operation in Taluq Abad Debnathpur, Motabaria police-station, Barisal.

***263. Khan Sahib Maulvi HATEMALLY JAMADAR:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the settlement operation is going on in Taluq Abad Debnathpur in police-station Motabaria, district Barisal?

(*b*) If so, will the Hon'ble Minister be pleased to state the principle on which the rent is likely to be fixed?

(*c*) Has any rate of rent been decided upon on the recommendation of the Assistant Settlement Officer in charge of Barisal?

(*d*) Will the Hon'ble Minister be pleased to state whether any relative of the Assistant Settlement Officer is serving in the said estate?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state the relationship existing between him and the Assistant Settlement Officer?

(*f*) Do the Government contemplate desirability of deputing any other officer for the fixation of the rent on the average of market rate of the last 10 years?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Settlement operations in the Taluk have been completed.

(*b*) In case of *raiyats* the rents have been determined on consideration of the rates prevailing in the neighbouring villages and also in accordance with the principles laid down in section 38 (*1*) (*b*) read with sections 38 (*2*) and 104A (*1*) (*d*) of the Bengal Tenancy Act.

The rates of rent for under-raiyats have been fixed on the principles of section 48D (*2*) of the said Act.

As regards tenure-holders, fair rents have been settled on the assets and by distributing allowances varying from 10 to 40 per cent. of assets among different grades in accordance with the principles of the Bengal Tenancy Act and Regulation VII of 1822.

(*c*) Yes.

(*d*) No

(*e*) and (*f*) Do not arise.

Establishment of Debt Settlement Boards in Chittagong.

***264. Khan Bahadur FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) how many Union Boards are there in the district of Chittagong; and

(*ii*) in how many Union Boards, Debt Settlement Boards have been established since the enforcement of the Bengal Agricultural Debtors Act, 1935 (VII of 1936)?

(*b*) Will the Hon'ble Minister be pleased to state the reasons for not establishing Debt Settlement Boards in all the Unions in Chittagong in spite of repeated demands?

(*c*) Do the Government contemplate establishment of Debt Settlement Boards in all the remaining Unions during this year?

The Hon'ble Mr. H. S. SUHRAWARDY (on behalf of the Minister in charge of the Co-operative Credit and Rural Indebtedness Department): (*a*) (*i*) 184 and (*ii*) 108.

(*b*) The honourable member is referred to the reply to clause (*b*) of starred question No. 40 given on the 5th August, 1938.

(*c*) Establishment of more Debt Settlement Boards will be considered when proposals are received from local officers.

Percentage of Muslims in various services in the Irrigation Department.

*265. **Maulvi MUHAMMAD IBRAHIM:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state the percentage of Muslims in the various services in the Irrigation Department?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the last five years the number of—

(1) Muslims, and

(2) non-Muslims

in the various branches of service in the Department?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the total number of appointments made during the last 10 years; and

(*ii*) how many of them are Muslims?

(*d*) What steps do the Government propose to take to increase the number of Muslim appointments in this department?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): The collection of material for a reply to parts (*a*) to (*c*) of the question would involve an expenditure of time, labour and money which it would be difficult to justify in view of the recent decision of Government regarding the minimum percentage of appointments to be filled by Muslims. The honourable member needs no special assurance from me that that decision will be implemented in the department of which I am in charge.

Appointment of teachers under the District School Board, Noakhali.

*266. **Maulvi MUHAMMAD IBRAHIM:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the appointment of teachers in the 1st, 2nd and 3rd posts under the District School Board, Noakhali, will be made on population basis?

(*b*) Is it a fact that the District School Board contemplates to hold competitive examination of the teachers before their appointment?

(*c*) Is the Hon'ble Minister aware that there is a feeling of discontent amongst the experienced and untrained teachers of the district over the question of the proposed competitive examination?

The Hon'ble Mr. H. S. SUHRAWARDY (on behalf of the Minister in charge of the Education Department): (*a*) Yes, generally on population basis.

(*b*) Yes, to test their fitness as has been done by the School Boards of Mymensingh, Dacca and Tippera.

(*c*) Untrained, unfit and incapable teachers may not welcome the idea of appearing at an examination.

Establishment of a district agricultural farm in Noakhali.

*267. **Mr. HARENDRA KUMAR SUR:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether the Government have come to any definite decision regarding the establishment of a district agricultural farm in the Noakhali district?

(*b*) Will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to convert the site at Maizdia into an agricultural farm with an agricultural school attached thereto?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) No.

(*b*) Does not arise.

Silting up of the tributaries of the Padma flowing through East Madaripur, Faridpur.

*268. **Al-Hadj CYASUDDIN AHMED CHOUDHURY:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that the tributaries of the Padma flowing through East Madaripur have silted up;

(*ii*) that communications and a number of business centres such as Naria Bhojeshwar, Gharisar, Bhedarganj, etc., have been affected;

(*iii*) that the steamer connection to Sureshwar has been stopped; and

(*iv*) that the people of East Madaripur have been put to inconvenience?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action is being proposed to be taken for making the rivers navigable throughout the year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) Yes.

(*b*) I am advised that owing to the unfavourable natural conditions now prevailing, it is not practicable to make the rivers navigable throughout the year.

Security deposits of Excise ve.....

*269. **Mr. KRISHNA PRASAD MANDAL:** (*a*) Is the Hon'ble Minister in charge of the Forest and Excise Department aware—

(*i*) that at the time of taking the licence the Excise vendors have to deposit an amount called the security deposit;

(*ii*) that no interest is given on the security money; and

(*iii*) that interest is given to all other persons who give deposit in the Government Treasury either for service or for any other reasons?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps he proposes to take for the payment of interest to the vendors on their security deposit?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*)(*i*) The vendors are required to pay the average licence fee for one month in advance.

(*ii*) Advance licence fee is Government revenue and not security money of the vendors. The question of interest does not, therefore, arise.

(*iii*) Yes.

(*b*) The question does not arise.

Fees for examination of the students of the Medical Faculty, Bengal.

*270. **Babu MAHIM CHANDRA DAS:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware that the fees for examination of the students of the Medical Faculty, Bengal, have recently been increased?

(*b*) Did the State Medical Faculty obtain the permission of Government for the increase in the examination fee?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) when the rate hitherto in force was introduced; and

(*ii*) what is the reason for the present enhancement?

(d) Do the Government contemplate—

(i) stopping the increase for the next examination; and

(ii) holding an enquiry into the matter?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (a) and (b) Yes.

(c) (i) The rates for the Primary and Intermediate Examinations were introduced in 1919 and those for the Final Examination in 1915.

(ii) As the State Medical Faculty was unable to meet its normal expenditure, the increase in the examination fees was one amongst several measures which were found to be necessary for restoring equilibrium in its budget. The increase was kept down to the minimum necessary for the above purpose.

(d) No.

Income and expenditure of Darjeeling Improvement Fund for certain subdivisions of the district.

*271. **Mr. DAMBER SINGH GURUNG:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing separately, year by year, for the last three years—

(a) the income of Darjeeling Improvement Fund for the following subdivisions of Darjeeling district:—

(i) Sadar subdivision,

(ii) Kurseong subdivision,

(iii) Kalimpong subdivision, and

(iv) Siliguri subdivision; and

(b) the expenditure of the said subdivisions for the same period under the following heads:—

(i) works done by the Darjeeling Improvement Fund Department itself,

(ii) works done by the District Board, and

(iii) the establishment charge of the Darjeeling Improvement Fund Department of the said subdivisions separately?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the Library table.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Agricultural improvement in Baraset and Basirhat subdivisions, 24-Parganas.

143. Khan Bahadur A. F. M. ABDUR RAHMAN: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) what steps the Government have taken for the improvement of agriculture in the subdivisions of Basirhat and Baraset in the district of the 24-Parganas; and

(*b*) the names of the villages in the above subdivisions which have been visited by the District Agricultural Officer of the 24-Parganas during the last two years?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) There are two Union Board Farms and six demonstration centres in the two subdivisions under the supervision of two Agricultural Demonstrators where demonstration on the cultivation of new and improved crops on the cultivators' own land is made. In 1938 the department took over the Agricultural Farm at Maslandpur which used to be used as a training camp for ex-detenus on agriculture. Pending the establishment of a Research Sub-station at the place, the farm is now being run on *barga* system. The local cultivators grow improved crops on *barga* on the farm land with improved seeds and according to improved methods under the supervision of departmental officers. Besides, there are two Agricultural Demonstrators of the Indian Central Jute Committee carrying on various duties on agricultural and marketing aspects of jute under the administrative control and supervision of the Agricultural Department. There is also a mustard multiplication centre at Basirhat. There are 20 pedigree stud bulls distributed at different centres of the two subdivisions for the improvement of the breed of the local cattle under the supervision and care of the live-stock staff who have been systematically carrying on the castration of scrub bulls.

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 143, regarding names of villages visited by the District Agricultural Officer, 24-Parganas, during the last two years.

BASIRHAT SUBDIVISION.

1937-38.	Days.
Itinda	2
Sangrampur	1
Maitrabagan	1
Jhararas	1
	5

1938-39.	
Khelapota	1
Dhankuria	3
Maitrabagan	2
Mathurapur	2
Itinda	6
Aughara	3
Ghoshpur	7
Daskhinchatra	10
Gulaichandi	5
Dandirhat	7
Raghunathpur	3
	49

BARASET SUBDIVISION.

1937-38.	Days.
Habra	8
Putia	2
Guma	2
Madhangram	2
Hariharpur	1
Kayadanga	1
Bhassara	1
Poali	1
Hizalpuker	1
Kamdebpur	2
	21

1938-39.

Baraset	4
Kamdevkati	5
Kadambagachi	1
Rajarhat	3
	13

Scheduled Caste employees under the Communications and Works Department at Dacca.

144. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) the number of Scheduled Caste clerks, overseers and sub-overseers and other employees who have been serving at present in the Communications and Works Department at Dacca; and

(*ii*) whether communal ratio is being maintained there?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Government will shortly call on appointing officers for a return showing how appointments made since the 17th March, 1939, have been distributed among Muslims, Caste Hindus and Scheduled Castes. It will take them some time to examine the returns, the object of which is to enable Government to satisfy themselves that the existing orders regarding communal ratios are being complied with. In these circumstances I trust that the honourable member will not press for a reply at the present time.

Chaukidars and dafadars under Union Boards, Bengal.

145. Mr. SYED AHMED KHAN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) the total number of Union Boards in Bengal;

(*b*) total number of chaukidars;

(*c*) total number of dafadars;

(*d*) total collection of union rates;

(*e*) total expenditure on pay and dress of the chaukidars; and

(*f*) actual works done by chaukidars?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) to (*e*) A statement is laid on the table.

(*f*) The hon'ble member is referred to section 23 of the Bengal Village Self-Government Act, 1919, section 39 of the Bengal Village Chaukidari Act, 1870, section 10 of the Cattle Trespass Act, 1871, and rules 36 and 40 of the Rules regarding the Control, Appointment, Discipline, etc., of dafadars and chaukidars, copies of which are laid on the Library table.

The chaukidars have also to render assistance to officers and men of the Civil Courts in attaching properties under Civil Court decrees and to Sanitary Inspectors and Vaccinators in vaccination work.

Statement referred to in the reply to clauses (a) to (e) of unstarred question No. 145.

Total number of Union Boards	*5,072
Total number of chaukidars	*67,943
Total number of dafadars . ..	*6,822
Total collection of union rates ..	*Rs.75,53,603
Total expenditure on †salaries and equipment of dafadars and chaukidars—	
Salary	*Rs.49,19,519
Equipment	*Rs.1,23,022

*The figures are for the year 1938-39.

†No separate figures for chaukidars are available.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state, in view of the fact that under the rules of the Village Self-Government Act, 1919, it is the duty of dafadars and chowkidars to assist the police to the best of their ability in the execution of their duties, whether it is incumbent on Government to meet a part of the expenses of the chowkidars and daffadars?

Mr. SPEAKER: That question does not arise here.

Establishment of an additional Court of Deputy Magistrate at Dinajpur.

146. Maulvi ABDUL JABBAR: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that the Subdivisional Magistrate of Dinajpur Sadar has to be on tour for a considerable number of days during the year;

(*ii*) that there is a great rush of cases in the Second Court;

(*iii*) that the Second Court has to sit for very late hours; and

(*iv*) that the late sitting of the Court causes inconvenience to the legal practitioners and the litigant public?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is considering the desirability of establishing an additional Court of Deputy Magistrate at Dinajpur as before?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes.

(*ii*) I have had figures submitted; they do not show any unusual rush of cases in the Second Court.

(*iii*) and (*iv*) I have learnt that the Second Court on some days had to sit late. This however was for the convenience of the witnesses and parties who were thereby saved from detention or from appearance on another occasion.

(*b*) There was an officer short in February but the magistracy has now been brought up to strength and no additional Court is needed.

Recruitment of Calcutta Police.

147. Mr. NARENDRA NARAYAN CHAKRAVARTY: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether any circular has been issued for new recruitment of Calcutta Police this year; and

(*ii*) whether in that circular special instruction has been given to the effect that only Muslims are to be recruited this year?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of recruitments made in the Police Department during the last three years; and

(*ii*) their communal ratio?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) No.

(*ii*) Does not arise.

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 147.

BENGAL POLICE.

Year.	Muslims.	Non-Muslims.	Total.
Sub-Inspectors (direct recruits only).			
1937	20	20	40
1938	17	16	33
1939	25	25	50
Constables.			
1937	300	588	888
1938	440	558	998
1939	687	742	1,429

Ratio.

		Sub-Inspectors.	Constables.
		Per cent.	Per cent.
1937 ..	Muslims ..	50	33·78
	Non-Muslims ..	50	66·21
1938 ..	Muslims ..	51·51	44·08
	Non-Muslims ..	48·48	55·91
1939 ..	Muslims ..	50	48·07
	Non-Muslims ..	50	51·92

CALCUTTA POLICE.

1937 ..	Hindus	..	79
	Muslims	..	35
	Total	..	114
1938 ..	Hindus	..	95
	Muslims	..	97
	Bengali Christian	..	1
	Total	..	193

1939	.. Hindus	..	123
	Muslims	..	122
	Bengali Christian	..	1
	Total	..	246
Grand Total	.. Hindus	..	297
	Muslims	..	254
	Bengali Christians	..	2
	Total	..	553

RATIO.

			Per cent.
1937	.. Hindus	..	69·29
	Muslims	..	30·70
1938	.. Hindus	..	49·22
	Bengali Christians	..	·53
	Muslims	..	50·25
1939	.. Hindus	..	50
	Bengali Christians	..	·41
	Muslims	..	49·59
Total	.. Hindus	..	53·7
	Muslims	..	45·93
	Bengali Christians	..	·33

Offences against women.

148. RAI HARENDRA NATH CHAUDHURY: Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay a statement on the table showing for the year 1939—

(*a*) the number of offences committed against women mentioning separately the number of—

(*i*) Hindu and Muslim victims in such cases, and

(*ii*) the number of Hindu and Muslim accused in such cases; and

(*b*) the number of cases—

(*i*) reported, and

(*ii*) that ended in conviction?

The Hon'ble Khwaja Sir NAZIMUDDIN: The statement is as follows:—

		Hindus.	Muslims.
(*a*) (*i*)	... ...	87	18
(*ii*)	... ...	66	98
(*b*) (*i*)	... ...	1,223	
(*ii*)	... ...	285	

Mr. ATUL CHANDRA SEN: With reference to answer (*b*) (*i*) where it is said that the number of cases reported is 1,223, is the Hon'ble Minister aware that in 1937, 788 cases were reported and, in 1938, 1,087 cases were reported? Thus it shows that the crime is on the increase.

Mr. SPEAKER: That does not require an answer. It is a question of facts, and no answer is required.

Mr. ATUL CHANDRA SEN: I only want to make the Hon'ble Minister admit that.

The Hon'ble Mr. H. S. SUHRAWARDY: It is a question of fact.

Appointment of women Assistant and Sub-Assistant Surgeons.

149. Miss P. B. BELL-HART: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state the present number of women doctors employed by Government as—

(*i*) Assistant Surgeons, and

(*ii*) Sub-Assistant Surgeons

in Government Hospitals where women patients are admitted?

(*b*) Have women doctors been employed at present in an honorary capacity in such hospitals?

(*c*) If so, how many?

(*d*) Have women doctors been employed in welfare centres?

(*e*) If so, how many and whether paid or honorary?

(*f*) Will the Hon'ble Minister be pleased to state what steps the Government are taking in the matter of employment of women doctors in a paid capacity in Government hospitals and welfare centres?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) One medical graduate.

(*ii*) Two licentiates of the Medical Faculty.

(*b*) Yes.

(*c*) Two.

(*d*) and (*e*) Women doctors are employed by Government in the Public Health Department. A statement is laid on the table.

(*f*) The whole matter is under my consideration.

Statement referred to in the reply to clauses (d) and (e) of unstarred question No. 149.

There are 5 women doctors employed on a paid basis under the Public Health Department as mentioned below—

(1) Superintendent of Maternity and Child Welfare Work, Bengal. (An M.B., B.S., a medical graduate.)

(2) Assistant Medical Officer, Tuberculosis Survey, Serampur (temporary). (An M.B.—a medical graduate.)

(3) Assistant Medical Officer, Tuberculosis Survey, Barisal (temporary). (A medical licentiate.)

(4) Assistant Medical Officer of Health, Model Health Unit, Singur, Hooghly (temporary). (A medical licentiate.)

(5) Assistant Epidemiologist, Nutrition Survey (temporary). (A medical licentiate.)

The following Maternity and Child Welfare Schemes have arranged for the services of a lady doctor:—

Barisal—Honorary services of a lady doctor.

Chapra (*Nadia*)—Honorary services of a lady doctor.

Darjeeling—Honorary services of a lady doctor.

Dacca—A part-time lady doctor is employed by the local committee to conduct the work of the different centres in the district.

Dhanyakuria (*24-Parganas*)—Lady doctor appointed and paid by the District Board.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state why teachers of midwifery in medical schools and colleges are not appointed from lady doctors?

The Hon'ble Mr. TAMIZUDDIN KHAN: I would refer the honourable member to answer (*f*), where it is said, "the whole matter is under my consideration."

Tour of the Director of Public Health.

150. Mr. ABDUL KARIM: Will the Hon'ble Minister in charge of the Public Health Department be pleased to state—

(*a*) how many days the Director of Public Health spent on tour during the period from the 1st April, 1938, to the 31st January, 1940;

(*b*) the amount that was actually drawn by him as "travelling allowance" during the said period; and

(*c*) the purposes for which the tours were undertaken?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) 198 days.

(*b*) Rs. 5,168-12-3.

(*c*) The tours were undertaken chiefly in connection with inspection duty and other public health activities, including investigations into anti-malaria, anti-tuberculosis and maternity and child welfare schemes as well as the scheme for reorganisation of the rural public health services in the Province. Thirty-eight days were spent for journeys outside the Province to Delhi, Bombay and Madras for attending conferences of Research Fund Workers and meetings convened by the Central Advisory Board of Health and the Indian Research Fund Association.

SUPPLEMENTARY DEMANDS.

Mr. SPEAKER: We will now take up supplementary demands. Does the House desire to have a general discussion? I think it is much better to discuss the whole thing along with the demands.

Rai HARENDRA NATH CHAUDHURI: In that case general discussion will not be allowed, but there should be a general discussion.

Mr. SPEAKER: I think that general discussion ought to be allowed.

Mr. JOGESH CHANDRA GUPTA: In rule 108 you will find, Sir, that——

Mr. SPEAKER: These rules have been superseded. We are now governed by the Governor's rules.

Rai HARENDRA NATH CHAUDHURI: The same procedure should be followed as in the case of budget discussion.

Mr. SPEAKER: Rule 17 (2) (*b*) says, "for discussion of the estimates of the expenditure charged on the revenues of the province....."

Dr. NALINAKSHA SANYAL: Sir, may I draw your attention to rule 13 read with rule 17. Rule 13 definitely lays down the stages which have got to be gone through in connection with any budget, not merely an original estimate of expenditure, but all budgets.

Mr. SPEAKER: This is not a budget but a supplementary demand.

Dr. NALINAKSHA SANYAL: Supplementary demand is a budget. This is not merely a demand because there are also other items which are not votable. Sir, you will notice that it is a "supplementary estimate."

Mr. SPEAKER: Is there any charged item?

Dr. NALINAKSHA SANYAL: Yes, Sir.

Mr. SPEAKER: Under rule 17 (2) (*b*), only to-day has been allotted for this supplementary estimate.

Dr. NALINAKSHA SANYAL: Sir, that difficulty is obviated by rule (*c*). That says that you have jurisdiction to allot some time——

Mr. SPEAKER: In any case, I may fix about half an hour for this.

Rai HARENDRA NATH CHAUDHURI: Sir, on going through the supplementary estimate, we find, that quite a large amount has been provided here, to the tune of Rs. 21,17,000, in other words, to the tune of about 15 per cent. of the original budget demand. This is too high a sum for a supplementary estimate and having regard to the fact that the demand ranges over such a large number of subjects, surely the Finance Minister has got to answer adequately why such a large extra demand will be necessary in regard to each of the grants mentioned in the estimate. Then, again, you will see, on referring to the supplementary estimate, that the largest demand is going to be made in respect of "Extraordinary

charges" under grant No. 36. This demand is in connection with the war, but it is stated that these charges are expected to be recovered next year from the Government of India. Now, Sir, my point is this: if this expenditure has got to be incurred in connection with the war, certainly the Government of Bengal should have demanded from the Central Government a sum by way of advance to meet all such expenditure. Just note the uncertain language again of the explanatory memorandum, viz., "These charges are expected to be recovered next year from the Government of India"; whether they will be fully recovered or not, the Assembly is kept entirely in the dark about it. All such expenditure being expenditure in connection with matters for which the Central Government is responsible, the proper procedure for the Government of Bengal would have been to ask from the Government of India such a sum by way of advance and then to spend as an agent the amount that might be necessary out of that advance. So far as we are concerned, we enter our emphatic protest against this demand not only because our policy is very different from the policy of the Bengal Government in respect of the prosecution of war——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Do you like to be bombed?

Rai HARENDRA NATH CHAUDHURI: No, it is not that, we do not like to be bombed any more than yourself. The question is whose responsibility it is to save us from being bombed. It is neither your responsibility, Sir Bijoy Prosad, nor is it the responsibility of the Home Minister nor that of the Finance Minister of Bengal. It is the responsibility of some other authority and had that authority been inspired by any sense of responsibility to the people, it should have made provision for that and the Government of Bengal instead of assuming a responsibility that constitutionally does not attach to it should have been well advised to demand this sum by way of advance from the Central Government, even if they were anxious to pursue a policy of co-operation.

Then, Sir, coming to the next big item in the supplementary estimate, we find that it is a demand in connection with "the interest free advances." Now, what is the necessity of this demand? It is explained in this way: "The increase is due to the advance of about 7 lakhs in several instalments to the Director of Land Records and Surveys on account of expenditure in connection with Jute Registration. The advance will be adjusted against actual disbursement which will then be booked under '40—Agriculture'." Now, Sir, this explanation is difficult to understand. If the expenditure is going to be incurred in respect of work that has already been done but for which there has been no provision, then the question of advance may arise; but if the

grant of Rs. 7,15,000 be there then how does the question of advance arise so late in the year? Again, if the work is protracted into the next financial year, then the question of advance for future work will not arise at all because the expenditure can then be met from the provision that has been made in the present budget.

The third big item is about Rs. 4,96,000 in connection with "Superannuation allowances and pensions." I am referring to grant No. 31. The reason given is: "that owing to a recent change of classification as a result of the promulgation of the Reserved Post Rules certain pensions which were hitherto being treated as voted now become charged."

Sir, Government is under an obligation to explain whether the provision that was made under the voted grant has been surrendered or not; if not, Government was certainly inexact, or rather made a mistake, in their original estimate and that has got to be admitted.

Sir, the fourth item to which I would draw the attention of the House is that in respect of the Registration Department. The only explanation that has been offered for this extra demand is this: "the increase is due partly to an unexpected increase in the number of registrations and partly to the fact that the number of tenancies transferred and notices issued under section 26 (*c*) of the Bengal Tenancy Act, as recently amended, has greatly exceeded the original estimate."

The Bengal Tenancy Act, so far as section 26 (*c*) is concerned, has not been recently amended. It was amended long before the original budget was presented and the original budget demand was granted. Therefore, the amount that is demanded now in excess of the amount that is necessary in connection with the temporary establishment—that amount, of course, can only be granted if it is admitted by the department that there was a serious mistake to the extent of about one lakh of rupees in estimating the original budget demand.

Sir, there is a further comment that appears to be necessary in connection with grant No. 2—I mean the Land Revenue demand. That is explained in this way: "Provision had been made under '25—General administration' on account of leave salary of the Secretary, Land Revenue Commission. The charge was however debited to '7—Land Revenue' on the ground that the substantive appointment held by him was that of the Director of Land Records. Hence the anticipated excess under this head."

Sir, was it known to the Government or was it unknown to them that the Secretary held the substantive appointment as Director of Land Records? As, I submit, it was known there could be no justification for this supplementary estimate. Further the estimate was there in the original budget; it was not missed entirely. Has the amount granted been surrendered or not? What is the fact about it, the Assembly is

entitled to know. These are the general observations that I have to make.

Maulvi ABU HOSSAIN SARKAR: Sir, to-day, I like to confine my observations on two demands only, namely, Registration and Industries—Cinchona.

With respect to the first point, I draw the attention of the Government to the difficulties the female executants to documents suffer from in the mufassal Registration offices. It is a generally known fact that a good number of females come from distant villages in order to register documents in connection with transfer of property.

Mr. SPEAKER: I am very sorry, Mr. Sarkar, this has no connection with the supplementary grant. There is nothing in the supplementary budget demand about the matter on which you are speaking.

Maulvi ABU HOSSAIN SARKAR: Sir, my submission is this. In this supplementary budget estimate itself it is said that this demand is made only due to a good number of documents being registered on the ground of transfer of lands and other things. In connection with that——

Mr. SPEAKER: On the ground of more women coming to the Registration offices!

Maulvi ABU HOSSAIN SARKAR: No, Sir, in connection with the registration of documents, and my submission is that of the executants to documents there are a good number of females, who suffer generally from want of waiting sheds near the Registration offices.

Mr. SPEAKER: That does not arise here. I ought to explain that in a supplementary demand the principle behind the actual estimate is in issue. So any other issue is wholly extraneous.

Maulvi ABU HOSSAIN SARKAR: I submit to your ruling, Sir.

My next point is about the cinchona plantations. Now, I have consulted a good many doctors and they are of opinion that the quinine produced in our cinchona plantations is inferior in quality to the foreign-made quinine and specially in bad type of malaria and other kinds of fevers the quinine made in our plantations is not acting well, and therefore medical men are bound to——

Mr. SPEAKER: Are you speaking of quinine or cinchona? These are two different things.

Maulvi ABU HOSSAIN SARKAR: Cinchona plantations, Sir.

Mr. SPEAKER: Cinchona must be lower in strength than quinine. You cannot expect a work done by a horse to be done by any other inferior animal. If you have got anything to say on cinchona you can talk on that.

Maulvi ABU HOSSAIN SARKAR: My point is that cinchona produced here is inferior to that produced in other countries, and medical officers are generally compelled to use foreign-made quinine, and that also is becoming rare due to the war. Therefore I want to draw the attention of the Government to improve the quality of the cinchona and though I am not allowed to use the word "quinine" I again with the permission of the Chair use that word, so that the malaria-ridden country may be benefited by the product produced in our plantations.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I have little to say in reply to the remarks of Rai Harendra Nath Chaudhuri who I am afraid has not shone so brilliantly in his exposition on the supplementary estimates as he usually does when criticising the Government budget. (Rai HARENDRA NATH CHAUDHURI: You supplement it with your own brilliance.) To start with, Sir, he says that there was no justification for a supplementary estimate of 21 lakhs at the end of the year, and that this fact shows that the preliminary estimate of the Finance Minister is worthy of condemnation, because it is wide by such a large demand. But if he looks at the supplementary estimate he will find that at least 17 lakhs out of 21 lakhs are merely accounting adjustments, or have been introduced owing to war conditions. For instance, Sir, the 12 lakhs on interest-free advances and extraordinary charges in India—(Rai HARENDRA NATH CHAUDHURI: Do not combine it.) No, I am not combining it—so far as the interest-free advances are concerned, that is a mere accounting adjustment. Already Rs. 7,15,000 has been voted. It is there in the estimates and instead of paying out the money according to the usual procedure of getting in receipts and bills, we in order to expedite matters have paid 6½ lakhs to the Director of Land Records, which is adjusted against Rs. 7,15,000. Therefore, as I have said, this is a mere accounting adjustment and is not an increase in the supplementary demand.

Then, we come to the Extraordinary Charges in India. I do not know whether the hon'ble member wanted us to act like a *baniya* and tell the Government of India that, "You must make an advance first before we do anything, and until that time we are not going to take any precautions for ourselves. We are not going to look after our own interests unless we have got some cash in hand." Governments have and should have sufficient reliance upon each other to believe

in each other's word, and if the Government of India tells the Government of Bengal that amounts spent in connection with air raid precautions and price control and other matters arising out of war conditions will be reimbursed by the Government of India, we are prepared to believe them until we find that they do not carry out their word. Until that time we are not prepared to adopt this attitude of first asking for the cash in hand before incurring any expenses. That disposes of Rs. 12 lakhs.

Superannuation allowances and pensions, which dispose of the other 5 lakhs, is due to the recent changes in rules, by which the amount has been transferred from the voted head to the charged head. That is all. If Rai Harendra Nath Chaudhuri looks at page 12, which is continuation of grant No. 31, he will find that the last sentence stated that correspondent savings have occurred under the voted head. Therefore, this supplementary estimate is no further grant. It is merely a transfer from the voted head to the charged head, and that leaves a very small sum of Rs. 4 lakhs at the end of the supplementary estimates which is accounted for mostly by an increase in Registration. The Hon'ble the Chief Minister is not here but in the memorandum there is sufficient explanation, namely, that there has been an increase in the number of registrations which cannot possibly have been forecasted by the Registration Department and also that the number of tenancies transferred and notices issued under a certain section which came on the statute book long ago has greatly exceeded the original estimate. That is a matter for the Registration Department. The Registration Department thought that the money allotted would be sufficient, but notices have increased owing to certain economic forces and this sum of money is required. After all, Sir, the budget has not been such a very bad budget, nor is it very much out of the estimates, and the small amounts that are being wanted here and there are of little consequence.

Sir, I do not know whether one need comment upon the remarks made by the honourable gentleman there, Mr. Abu Hossain Sarkar. He makes no difference in his own mind between cinchona and quinine and presumably he does not know that one is much better and stronger than the other. Presumably the information which he has supplied to the House has been obtained from some quack in medicine who is obsessed with anti-Government or pro-Congress mentality and who considers that everything that is produced by Government must necessarily be bad.

Now, Sir, the quinine produced by Government has this advantage that we are able to produce it at a lower rate than what is generally imported. But its strength is unrivalled, and its strength is just as good as any imported quinine, and every doctor will testify to it. Probably, what is operating in Mr. Abu Hossain Sarkar's mind is that

because we are able to sell it 4 or 5 rupees cheaper, therefore it must be of bad quality. (Maulvi ABU HOSAIN SARKER: You are mistaken.) Such a mentality is a very good ground for increasing the pay of Ministers.

Maulvi ABU HOSSAIN SARKAR: You may take as much as you like for your pay, provided——

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I do not like to make any further remarks. Our quinine is better than other quinines.

9—Stamps.

The Hon'ble Sir BIJOY PRASAD SINCH ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 50,000 be granted for expenditure under the head "9—Stamps" during the current year.

This additional expenditure is on account of the additional amount that has to be paid to vendors for the larger indents for stamps. There is an increase of stamp revenue which is expected to amount to Rs. 8 lakhs, and on that ground the additional expenditure is also justified.

The motion was then put and agreed to.

11—Registration.

Mr. SPEAKER: Mr. Suhrawardy, as the Hon'ble the Chief Minister is not present, will you please move the demand for Registration?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir. On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,64,000 be granted for expenditure under the head "11—Registration" during the current year.

The motion was then put and agreed to.

30—Ports and Pilotage.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 30,000 be granted for expenditure under the head "30—Ports and Pilotage" during the current year.

The motion was then put and agreed to.

43—Industries—Cinchona.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 28,000 be granted for expenditure under the head "43—Industries—Cinchona" during the current year.

Dr. NALINAKSHA SANYAL: Sir, I rise to move that the demand of Rs. 28,000 for expenditure under the head "43—Industries —Cinchona" during the current year be reduced by Rs. 100.

Sir, unlike my esteemed friend Mr. Abu Hosain Sarkar, I feel that Bengal has proved to the satisfaction of every expert that it is possible for Bengal to manufacture quinine of the best quality that the world has ever produced. (Cries of "Hear, hear" from the Congress benches.) It has been demonstrated also that the hills of Bengal are most suitable for cinchona plantation. Experiments have been made for a pretty long time to find out suitable places where cinchona plantation can be extended. Experiments were undertaken in parts of the Madras Presidency, in parts of the United Provinces, as well as in parts of Bengal. It has been demonstrated that the hills of the Darjeeling district and certain parts of Assam are most suitable for the manufacture of this very valuable medicinal plant.

Mr. Abu Hosain Sarkar might have been confused between the various grades and standards of quinine and cinchona febrifuge that are placed in the market. For the sake of cheapness there are irresponsible manufacturers of drugs that try to delude the public by the use of cinchona febrifuge where nothing but quinine of the proper standard should be used, and it is quite possible that those medical men that have relied on such drugs from irresponsible manufacturers of drugs might have had bad experience. It is not really fair to mark the entire industry of Bengal as an incompetent industry, just because of the irresponsibility of a few persons.

Sir, so far as the chemical qualities of quinine are concerned, though I am not a student of chemistry, I know this much that there are certain standards laid down in the British Pharmacœpia and for certain classes of quinine there are certain tests laid down to find out how far they come up to the standard of the British Pharmacœpia, so far as the quality is concerned. In the Government Quinine Manufacturing Factory at Mungpo the experts have demonstrated to the satisfaction of the best experts of the world that they have been manufacturing quinine of the most dependable and proper type that was ever manufactured in Dutch Indies and other parts of the world—America and elsewhere. My complaint is just the other way. I feel that when this has been demonstrated to the satisfaction of everybody that Bengal can manufacture quinine satisfactorily and successfully

why should Government be slow in undertaking this very healthy manufacture, particularly when this is a most profitable business which Government can undertake? My submission is that quinine plantation has not been undertaken to the extent it ought to have been. It is my information, Sir, that it takes nearly 7 to 8 years for every cinchona plant to mature and to enable barks being taken out of such a plant. If that is the case, it is only necessary that Government should take bold measures to try to improve cultivation of cinchona plants with as much expedition as possible. I am informed further that some of the most valuable parts of the Darjeeling hills where cinchona plantation can be undertaken are not in the hands of Government and that they have been let out at a nominal rent to private parties, mostly tea gardens, and it might be very difficult for Government to get hold of such properties although in future Government may be in a position to extend cinchona cultivation for the manufacture of quinine as is very much necessary for the welfare not only of Bengal but of the whole of India. I submit, Sir, that a proper investigation should be undertaken to find out where quinine plants and cinchona plants may be most profitably and successfully cultivated, and if Government can get expert advice about certain areas, those areas should be reserved unless and until Government is in a position to extend cinchona plantation to the fullest possible extent that is desirable or that is advisable for Bengal and for India. The sum of Rs. 28,000 appears to be too small for any such expansion scheme.

I further understand that there may be some necessity of co-operation with the Forest Department in regard to plantation. It is reported to me,—how far that is true I do not know, I would like to have an assurance from the Hon'ble Minister in charge in this connection—it is reported to me that, so far as the plantation of quinine or cinchona plant is concerned, it is not controlled and it is not properly supervised by any authority. Cinchona being under the Industries Department, those who really know and understand the value of the barks are not in a position to find out if the plants are properly nurtured and are yielding the right type of barks. They cannot give any direction to the plantation side of it for giving them the proper type of raw materials. Cinchona plantation, on the other hand, not being under the Forest Department, is denied the technical advice and guidance of the Forest Officers. I would like to have an assurance from the Hon'ble Minister in charge to make us feel that as much expert advice as is available for the Government at the present moment, expert guidance from the Forest Department and expert technical advice from the quinine manufacturing department, may be both pooled under one competent authority so that the plantation of cinchona may be advanced in the proper line.

Sir, I would not like to take much time of the House. I would only conclude with the appeal that Government do take courage in both

hands to extend cinchona plantation so that in 10 years' time Bengal may be selfsufficient in her own quinine requirements and not only that, she may be in a position to supply quinine to other parts of India where I understand that at the present moment there is an extensive demand for quinine from all parts. At the present moment not more than one-third of the total requirements of this province is being supplied from the manufacture of quinine of this province. I would, therefore, appeal to the Hon'ble Minister to come forward to this House with a bigger demand, because the amount of money that he will spend to-day will be most fruitfully spent and in future years our generations to come will bless the present Ministry and the present Legislature who will have laid down the foundation of a malaria-free and disease-free Bengal.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I am grateful to the honourable member for what he has said regarding our cinchona plantation in Bengal. We have no doubt that we possess one of the finest of cinchona plantations; and a factory which produces cinchona as good as any of the imported kinds produced in the world. He also spoke about the expansion of our plantation. Sir, Government are considering that question of expansion seriously and my friend will perhaps remember that for this purpose an experimental plantation had been started last year at Rango block in the Kalimpong division where there are nearly 200 acres of this plantation. I am glad to report to the House that it is promising very well. (Dr. NALINAKSHA SANYAL: If they are doing well, then why not extend it?) Well, Sir, before extending the cultivation seriously at the present moment we have got to make great deal of experiment with our existing plantation, carry on our intensive programme of cultivation by uprooting the over-mature block, and carry on extensive cultivation of the immature block and thirdly to do the afforestation work of vacated blocks to put the land back into proper condition. For this purpose we have provided Rs. 28,000, but I can assure my friends that if in time our cultivation at Rango is successful, Government will take to this plantation seriously and not as an experimental measure.

Dr. NALINAKSHA SANYAL: Sir, Sir Harisanker Paul wants to say something on this subject. Perhaps the Hon'ble Minister will be pleased to give way and then resume after Sir Harisanker has finished.

Sir HARISANKER PAUL: Thank you, Sir. I had been to Mungpu and saw the cultivation there. The land which is under cultivation there is not sufficient. There are plenty of lands there and the more the Government cultivates of such lands the more income will come to the Government. Of course, at the present moment Government are making profit out of it and there are very great demands for quinine, but if the Government can cultivate more land, I think Government will be

able to cope with the demand of quinine even for the whole of India. And so it is in the interest of Government to cultivate more land and get more income out of it.

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, I have heard Sir Harisanker's interesting speech. We have accepted the policy of expanding our cultivation and in practice we have started cultivation at Rango block as I have already said. I must explain to the House that everywhere quinine plantation has failed except in Java and Madras, but our plantations have so far been very successful in this province. So we must proceed very carefully and cautiously. Perhaps my friend has heard that there is a kind of disease in our Munsong block which seizes the cinchona plant, but we have not yet been able to discover what it is. Cinchona being a chancy crop, we have got to proceed carefully and cautiously before we extend our plantation seriously. As regards putting the Cinchona Department under the Forest Department Government have not yet decided to put it under the Forest Department, and unless I am convinced that it would be convenient to put it under the Forest Department, I won't allow this to be done.

Dr. NALINAKSHA SANYAL: No, that was not my idea; my idea was that the Forest Department officers should help you in this cultivation. But please do not include it in the Forest Department.

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, no. I am not going to amalgamate it with the Forest Department.

As regards Dr. Sanyal's comment that Government have leased out some lands fit for this plantation to tea gardens, I may point out that those gardens are not suitable, and they are already clear barren lands and there is nothing left in them. The proper land for cinchona plantation should have a certain amount of rain, height and soil. No doubt we have got some such lands elsewhere, and as far as I remember there are some such lands in the Dooars above Samsing Tea Garden which have been kept reserved at the present moment. If we require to extend this cultivation we will no doubt consider the above lands also. I do not think, Sir, that I need speak anything more.

Mr. SPEAKER: All right, that will do.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 28,000 under the head "43—Industries—Cinchona" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Prasanna Deb Raikut that a sum of Rs. 28,000 be granted for expenditure under the head "43—Industries—Cinchona" during the current year, was then put and agreed to.

56—Stationery and Printing.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 44,000 be granted for expenditure under the head "56—Stationery and Printing" during the current year.

Mr. SPEAKER: The question is that——

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that the entire demand be refused.

Mr. SPEAKER: There is no such motion before the House, and even then you cannot move an entirely negative motion.

Mr. SURENDRA NATH BISWAS: Then, Sir, I am not going to move, but I am generally speaking that the entire demand be opposed. Sir, the House has already given its verdict that the work of registration has been very much unsatisfactory, and in view of that verdict I would propose to oppose the whole demand——

Mr. SPEAKER: Mr. Biswas, on what demand are you speaking?

Mr. SURENDRA NATH BISWAS. Why, Sir, on Deposits and Advances?

Mr. SPEAKER: But we are now dealing with Stationery and Printing.

Mr. SURENDRA NATH BISWAS: Oh, I am sorry, Sir.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 44,000 be granted for expenditure under the head "56—Stationery and Printing" during the current year, was then put and agreed to.

Deposits and Advances.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 6,50,000 be granted for expenditure under the head "Interest Free Advances" during the current year.

Mr. SPEAKER: I would like to point out that this money has been budgeted by this House. It is a question of merely a transfer from one head to another. The only point which arises is whether it should be permitted. The merit of the question does not arise.

Mr. SURENDRA NATH BISWAS: I appreciate the point that has been raised. Our objection is to the method of expenditure. We have granted the sum no doubt, but the House can now give their opinion whether the money has been properly spent. The entire money has not been spent and some money has yet to be spent.

Rai HARENDRA NATH CHAUDHURI: How do you know?

Mr. SURENDRA NATH BISWAS: Because we know that the work of registration is going to be continued.

Mr. SPEAKER: I might once again explain to you that this department is only a *prô forma* department and the actual expenditure is the responsibility of the Agricultural Department. You can only raise the issue as to why the Agricultural Department should take an advance and nothing more than that You cannot question anything beyond that now, and if it turns out to be a bad expenditure, the House will get an opportunity to express its opinion when the Public Accounts Committee goes into it.

Mr. SURENDRA NATH BISWAS: I would propose that the advance be adjusted against the pay of the Director of Land Records and the salary of the Hon'ble Minister who are responsible for the unsatisfactory work.

Mr. SPEAKER: No, that is not right.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 6,50,000 be granted for expenditure under the head "Interest Free Advances" during the current year, was then put and agreed to.

63—Extraordinary Charges in India.

The Hon'ble Mr. H. S. SUHRAWARDY (on behalf of the Hon'ble Khwaja Sir Nazimuddin): Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 5,55,000 be granted for expenditure under the head "63—Extraordinary Charges in India" during the current year.

Mr. JOGESH CHANDRA GUPTA: Why are these supplementary demands made? The Hon'ble Finance Minister has not explained anything.

The Hon'ble Mr. H. S. SUHRAWARDY: All these were explained when I replied to the general discussion.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that the demand of Rs. 5,55,000 under the head "63—Extraordinary Charges in India" during the current year be reduced by Rs. 5,900.

I also beg to move that the demand be reduced by Rs. 84,800.

Sir, I oppose the grant because I feel that the Press Censor Department cannot justly claim the additional grant. This department has no utility to the people of Bengal. The Press Censor Department exists only for political purposes in the interests of the present ministry. It is here only to gag public voice and to stifle the expression of free opinion through the press. That is the ground on which I submit that the Censor Department is unnecessary. My friend Rai Harendra Nath Chaudhuri just suggests, and that is true, that the Censor Department in this province has been acting even more rigorously than the Censor Department in England (Mr. ATUL CHANDRA SEN: This is Bengal.) It is common knowledge that this department is acting most arbitrarily and unjustly against the press of Bengal. I need not dilate on that point any more. The House is aware of all the facts and circumstances. So, I submit that far from voting for additional grant the House should give their opinion that this department should be abolished as it is meant only for political purposes of the present ministry. Then, Sir, the expenditure on air raid precautions has been a sheer waste of public money. Where is the war that air raid precaution is necessary in this province? We only learn through the newspapers that the war is going on in Europe. But everything here is going on normally. The cinema houses are going on as usual. The dinner parties are going on merrily, and the ministers are enjoying their holidays. Therefore, I do not know for what purpose the Hon'ble Home Minister took it into his head to waste public money on air raid precautions. Then, Sir, the experiment of precaution has proved to be a failure. The members of the House know that the Calcutta Corporation was to act in co-operation with Government authorities, but for good reasons the Calcutta Corporation refused to co-operate with them. Thus the experiment failed. For this and other reasons which are pertinent, the public opinion is that this expenditure has been absolutely and unnecessarily wasted.

So, I submit that the House should refuse these two grants.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the illuminating speech of the honourable member regarding the non-existence of war is certainly a revelation to the members of this House. Mr. Biswas does not know or has not felt the effects of the war. In this House Mr. Biswas has never raised the question of increase in the prices of foodstuffs. If prices had gone up, it must have been due to some reason other than war. He has never felt the effects of war! He has not heard of jute prices going up!

As far as the question of effects of war is concerned, we ought to congratulate ourselves that we are lucky that we have not had to feel the effects of the war in no other direction than in the rise of prices of foodstuffs and in the improvement of industries here. Perhaps the honourable member will not deny, as a businessman and a landlord, this year his collections have been much better than they would have been otherwise under normal circumstances. Mr. Biswas now rises in this House and condemns the Government for taking some kind of steps against air raids. But if there had been an air raid and no action were taken by this Government, I am sure, he would have been the first man to raise the loudest hue and cry in this House for Government not anticipating an air raid and not taking precautionary measures. Perhaps he believes that because he lives in the wilds of Faridpur, he is immune from attack; but he forgets that as a member of the Legislature, he will have to be cut off for a certain time and if there is a raid in between, he stands just as much in danger as those who are not so cut off.

As far as the expenditure on air raid precaution is concerned, the first thing that we should remember is that most of the expenditure, we hope, will be recovered from the Government of India. This is one of the most important points which has got to be borne in mind. I am saying "most of the expenditure" for this reason that there is a certain amount of controversy going on as to what portion of the expenditure will really fall to the share of the Government of India and what portion of the expenditure in this connection is a provincial responsibility. But actually we hope that practically cent. per cent. of the expenditure so far incurred by Government under this head will be recoverable from the Government of India. So, I do not know what complaint there can be against the steps that have been taken by Government to have at least some idea as to what we should do in case there is a raid. Even if for argument's sake, we admit that there is no immediate prospect of a raid during this war, in view of the possibility of raids, in view of the prospect of war breaking out at any time anywhere in the world, in view of the modern conditions, we think no country or no people should sit idle without having some kind of scheme to meet an emergency like an air raid. It is, I think, Mr. Surendra Nath Biswas in this House who alone can think of Government doing nothing in this respect.

As regards the press censorship and the allegation that it has been used merely to keep the Government in power, I would like to state that practically no action has been taken by Government against any paper for any criticism of Government policy. This is, I think, the best reply that can be given on this subject. Every latitude and scope has been given to newspapers to criticise the policy of the Government and no papers can come forward and say that they have been in any

way restricted for criticising the policy of Government as regards the conduct of affairs of this province (Cries of "Question", "question.") Government have only taken steps under the Defence of India Act against papers which have either written against the war, the prosecution of war or which have tried to raise communal ill-feelings between communities and communities or which have tried to create a feeling of disturbance or which have tried to incite the people with a view to creating disturbances and a state of unrest which they consider will ultimately hinder the prosecution of the war—it is only on these grounds that action has been taken by the Press Officer against such papers. Therefore, I maintain that whatever may be the merits or demerits of the action of Government and the Press Officer, the allegation that the Defence of India Act has been used for the purpose of maintaining Government in power is absolutely baseless and without any foundation whatsoever. I am sure that after this statement of mine and when no facts have been placed before the House, the members have got no other option but to reject the motion of Mr. Surendra Nath Biswas.

The motion of Mr. Surendra Nath Biswas that the demand of Rs. 5,55,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 5,900 was then put and a division called.

After the ringing of the bell, when the motion was put a second time, the division was not pressed; so the motion was declared lost.

The motion of Mr Surendra Nath Biswas that the demand of Rs. 5,55,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 84,800 was then put and a division taken with the following result :—

AYES—52.

Abdul Jabbar Paiwan, Mr. Md.
Abdul Wahed, Maulvi.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Barma, Babu Prembari.
Barman, Babu Shyama Prosad.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Chakraborty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Das, Babu Radhanath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Dutta Mazumdar, Mr. Nibaranda.
Emdadul Haque, Kazi.
Ganguly, Mr. Prafui Chandra.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Manirazzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Basanta Sekhar.

Sen, Mr. Atul Chandra.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.
Wahur Rahman, Maulvi.

NOES—90.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid Mr. Syed.
Abdur Rahman, Khan Bahadur A.F.M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafuli, Mr. M.
Auliad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Basu, Mr. Jatindra Nath.
Biswas, Mr. Rasik Lal.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlul Rahman, Mr. (Dacca.)
Fazlul Rahman, Mr. (Mymensingh).
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Gupta, Mr. J. N.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawas Jah Syed.
Mafizuddin Choudhury, Maulvi.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Mohammad Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustaqawasi Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Salim, Mr. S. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Whitehead, Mr. R. B.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 52 and the Noes 90, the motion was lost.

The motion of the Hon'ble Mr. H. S. Suhrawardy that a sum of Rs. 5,55,000 be granted for expenditure under the head "63—Extraordinary Charges in India" during the current year was then put and agreed to.

Mr. SPEAKER: This finishes the business. I might say that it has been represented to me that it will be inconvenient to meet at 5-45

p.m. on the 1st April, especially as the Council may be sitting late hours that day. So I think it will be convenient if we meet at 6-30 p.m. on the 1st April.

Mr. SURENDRA NATH BISWAS: I have one submission to make, Sir. We were given to understand that one day more would be allotted for non-official business.

Mr. SPEAKER: We have not closed yet.

Adjournment.

It being 12-18 p.m.—

The House was adjourned till 6-30 p.m. on Monday, the 1st April, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly House, Calcutta, on Monday, the 1st April, 1940, at 6-30 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. Azizul Haque, c.i.e.) in the Chair, 9 Hon'ble Ministers and 208 members.

STARRED QUESTIONS

(to which oral answers were given)

Suspension of work in Criminal Courts at Manikganj on Fridays during prayer hour.

*272. **Maulvi ABDUL LATIF BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government circular for suspension of work in Criminal Courts at Manikganj on Fridays during prayer hour was observed before the 26th January, 1940?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Is the Hon'ble Minister aware—

(*i*) that the circular is being partly observed from the 26th January, 1940, after the attention of the Second Officer (Sub-Deputy Collector) was drawn to the circular on the 19th January, 1940, by certain pleaders of the Court;

(*ii*) that the Second Officer whose attention was drawn to the circular on the 19th January, 1940, did not suspend work on that date; and

(*iii*) that he held his Court during prayer time even on the 26th January, 1940 (Friday)?

(*d*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what action do the Government propose to take in the matter?

(*e*) Is the Hon'ble Minister aware that there exists a feeling of discontent amongst Muslim lawyers and litigants over the matter?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) I am informed that it was not being strictly observed before the 26th January, 1940.

(*b*) There was no objection prior to the 19th January, 1940, to the procedure actually followed which was to arrange work in such a way that any person desiring to absent himself for prayer between 12-30 and 2 p.m. might do so.

(*c*) (*i*) On and from the 26th January, 1940, it is being strictly observed. But where parties have specifically asked that their cases be heard during the interval, though the Courts are then adjourned, the Magistrate has consented to hear the cases.

(*ii*) Yes.

(*iii*) *Vide* answer to (*c*) (*i*).

(*d*) The Subdivisional Officer's attention has been drawn to the fact that the order of Government is mandatory and he has been directed to comply strictly therewith.

(*e*) One pleader objected. The local Muslim League telegraphed a resolution of protest to the District Magistrate. I am not aware of any other discontent for which there is now no ground.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether the said Subdivisional Officer is a Hindu or a Muhammadan?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*d*), will the Hon'ble Minister be pleased to state what was the reason for the Government to make the rule mandatory on the Subdivisional Officer?

The Hon'ble Khwaja Sir NAZIMUDDIN: Because that is the object of the rule that it should be mandatory.

Mr. ATUL KRISHNA GHOSE: If on a Hindu festival the Hindus claim that it should be mandatory for a court of law not to hold court on that day, will the Hon'ble Minister consider that viewpoint also?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to explain the reason for the discriminatory attitude, so far as observing of non-holding of courts on a Muhammadan festival is concerned? Whereas on a Hindu festival——

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: It does arise, Sir. I would like to draw your attention to the fact that if for some reason or other due to sentimental grievances of some Muhammadans the court is suspended, why should not similar procedure be adopted in the case of Hindus also? Otherwise Hindus will raise a voice of protest all over the province.

Mr. SPEAKER: I am sorry, Mr. Ghose, that you are showing a temper which is absolutely unjustified. It is a delicate question, and I have already said that it does not arise. If you persist in this fashion, I am afraid, I will have to take steps in the matter.

Arrests made under the Defence of India Ordinance, Indian Penal Code and Criminal Procedure Code in Jalpaiguri.

*273. **Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing—

(*i*) total number of arrests in the Jalpaiguri district since 1st December, 1939, for disobeying Government order promulgated throughout the four thanas of Jalpaiguri, Pachagar, Boda and Debiganj under section 144 of the Criminal Procedure Code;

(*ii*) total number of persons arrested in the same Jalpaiguri district since the 1st December, 1939, under the Defence of India Ordinance (Ordinance V, 1939);

(*iii*) total number of persons—

(1) arrested, and

(2) summoned in Court,

under different sections of the Indian Penal Code or Criminal Procedure Code in connection with the recent agrarian movement in the district; and

(*iv*) total number of persons on whom notices had been served by the Sadar Subdivisional Officer, Jalpaiguri, to show cause to the Court on the 8th February, 1940, why they should not be prosecuted under section 174 of the Indian Penal Code for willingly disobeying notice of summons for presenting themselves on the 23rd January, 1940, at Pachagar Dak Bungalow?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a copy of the notice issued to several persons demanding their presence on the 23rd January, 1940, at Pachagar Dak Bungalow?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) 15.

(*ii*) 115.

(*iii*) (1) 33 and (2) 60 under the Indian Penal Code, and 10 under the Criminal Procedure Code

(*iv*) 5.

(*b*) A copy is laid on the Library table.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), the notice runs thus: "You are hereby informed that the Nawab Bahadur of Jalpaiguri has expressed a desire to meet you on the 23rd January, 1940, in the afternoon to hear what you have to say. You are therefore requested to be good enough to be present at Pachagar Dak Bungalow at the aforesaid time to see the Nawab Bahadur, etc." May I know whether it was for non-compliance with this request that the people were arrested and prosecuted?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe five persons were arrested for not complying with this

Mr. ATUL CHANDRA SEN: Was it for non-complying with this request that they were prosecuted?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is what I have said It was for non-complying with this request.

Mr. ATUL CHANDRA SEN: May I know under what section they were prosecuted?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I am aware, there is nothing in the Criminal Procedure Code for such an arrest

Mr. ATUL CHANDRA SEN: Under what section the letter was issued by the police officer?

Mr. SPEAKER: He has already answered this. He has said that he is not aware of the section

Mr. DHIRENDRA NATH DATTA: Is it a fact that section 174 of the Indian Penal Code was misused for prosecuting these persons?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is an interpretation of law on which I am not in a position to express any opinion.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state what was the result of the prosecution?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think no action has been taken on them; they have been allowed to go

Mr. DHIRENDRA NATH DATTA: They have been discharged?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what action Government is considering against such officers who take action without any basis of law?

The Hon'ble Khwaja Sir NAZIMUDDIN: Government have called for a report.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state under what section the persons were prosecuted?

Mr. SPEAKER: He has made it quite clear

Persons warned, arrested or convicted under the Defence of India Ordinance, 1939, in Bengal.

*274. **Dr. SURESH CHANDRA BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the number and names of persons who have been

(1) warned under the Defence of India Ordinance, 1939,

(2) arrested under the same Ordinance, and

(3) convicted under the same Ordinance; and

(*ii*) whether in any other province of India meetings and processions have been banned under the Ordinance as in Bengal?

(*b*) If the answer to (*a*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state what are the reasons for which meetings and processions have been prohibited in Bengal?

(*c*) Is the Hon'ble Minister considering the desirability of withdrawing the prohibitory order under the Ordinance upon meetings and processions in Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) I would refer the hon'ble member to the reply that I gave to unstarred question No. 139 asked by Mr. Pratul Chandra Ganguly in the current session.

(*ii*) I have no information.

(*b*) Does not arise.

(*c*) No.

Dr. SURESH CHANDRA BANERJEE: With reference to answer (*c*), will the Hon'ble Minister be pleased to state why meetings and processions not connected with war but connected with Congress, trade union and Kisan movement should not be allowed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have nothing further to add to what I have already stated on this subject.

Dr. SURESH CHANDRA BANERJEE: Sir, my question has not been answered. In answer to my question nothing has been said. So, I specially ask this question

The Hon'ble Khwaja Sir NAZIMUDDIN: Whatever action has been taken by Government has been taken under the Defence of India Act and according to law.

Arrests made in Faridpur district since the outbreak of war under the Defence of India Rules.

*275. **Mr. SURENDRA NATH BISWAS:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) how many persons of each of the four subdivisions of the district of Faridpur have been arrested under the Defence of India Act/Rules, since the outbreak of war up to date;

(*b*) what are their names;

(*c*) what are the charges against each of those arrested persons; and

(*d*) whether any of these arrested persons have been placed under trial in a court of law and, if so, with what result?

The Hon'ble Khwaja Sir NAZIMUDDIN:

(*a*) (1) Sadar 1

(2) Goalundo .. .. Nil.

(3) Madaripur 6

(4) Gopalganj 3

(*b*) The honourable member is referred to the answer given to unstarred question No. 139 asked by Mr. Pratul Chandra Ganguly in the current session.

(*c*) Three persons were arrested under Defence of India Rule 129; four were charged under Defence of India Rules 38(*5*) and 39(*6*) and three were charged under 38(*5*).

(*d*) Four persons have been placed on trial and their cases are *sub judice*.

The rest have been released.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether it is a fact that the persons who were arrested in the subdivision of Madaripur were so arrested for having been in possession of a paper called the "National Front"?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the "National Front" is a proscribed paper?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe that orders have been issued to suspend its publication.

Rai HARENDRA NATH CHAUDHURI: Is it an offence to be in possession of the "National Front"?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have not suggested it.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister then be pleased to consider the fact that these people were arrested before Government issued that order stopping that paper?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state in what particular respects the conduct of war was interfered with, in which connection these persons were placed under arrest under the Defence of India Rules?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is the interpretation of the Defence of India Rules. If anything has been done which is *ultra vires*, the person concerned has got his remedy in a court of law.

Mr. NIHARENDU DUTTA MAZUMDAR: With reference to the answer of the Hon'ble Minister that action has been taken against certain persons under the Defence of India Rules, my supplementary question is this: In what respects did the activities of these persons interfere with the conduct of war, as a result of which action was taken against them under the Defence of India Ordinance? I want definite information with regard to that.

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit Sir, that this does not arise out of this question. The information that has been asked has been supplied; and this question will require further enquiry into the matter. So it is not possible to answer this question without proper notice.

Mr. NIHARENDU DUTTA MAZUMDAR: Do I understand that the Hon'ble Minister has no information whatsoever as to the activities of the persons which interfered with the conduct of the war and have warranted action being taken against them?

Mr. SPEAKER: The Hon'ble Minister has already said that he is prepared to answer this question on proper notice.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what particular activities made those persons liable to come under the Defence of India Rules?

Mr. SPEAKER: That question does not arise.

Mr. NARENDRA NARAYAN CHAKRAVARTY: মাননীয় মন্ত্রী মহাশয়, অনুগ্রহ কোরে বোলবেন কি বাংলার বিভিন্ন জেলায় যে সমস্ত লোককে Defence of India আইন অনুযায়ী আবদ্ধ করা হোয়েছে তাদের সম্বন্ধে specific কিছু চার্জ করা হোয়েছে কিনা সে সম্বন্ধে কি তিনি কোন অনুসন্ধান কোরেছেন?

Mr. SPEAKER: That is the same question.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state if any enquiry is being made?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the District Magistrates have got certain powers vested in them under the Defence of India Act, and under those powers District Magistrates have got certain

rights to take certain action and they have taken certain action. The honourable member is now asking me what is the number of persons against whom action has been taken, and I have given the figures. If any particular question is put to me about any particular person, I can get the information for the honourable member.

Expenditure for the office of the Conservator of Forests.

*276. **Mr. MIRZA ABDUL HAFIZ:** (*a*) Is the Hon'ble Minister in charge of the Forest Department aware—

(*i*) that the office of the Conservator of Forests is situated at Darjeeling in a private building for which a high rate of rent is paid; and

(*ii*) that 25 per cent. of pay is allowed to all officers stationed at Darjeeling as hill allowance?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of removing the office elsewhere in the plains for the sake of economy?

(*c*) If so, when?

MINISTER in charge of the FOREST DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) (*i*) Yes, but the rate of rent is not high.

(*ii*) Yes, but only to the ministerial staff in the office.

(*b*) There would be no economy since in Calcutta the ministerial staff would be eligible for town allowances and the Conservators of Forests to house allowance. Besides office rent would be higher in Calcutta.

(*c*) Does not arise

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what is the amount of rent of the building?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Rs. 175 per month.

Mr. MIRZA ABDUL HAFIZ: Is the Hon'ble Minister aware that the office was transferred to Darjeeling from Calcutta just on the eve of Provincial Autonomy, *i.e.*, near about April, 1937?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It may be.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state whether the transfer was made on satisfactory grounds?

Mr. SPEAKER: That question does not arise.

Refusal of permission to Students' Federation to hold meeting in Chittagong.

*277. **Babu MAHIM CHANDRA DAS:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether permission to hold a social gathering for the entertainment of candidates for the last supplementary Matriculation Examination on or about the 8th December, 1939, was refused to the Students' Federation, Chittagong; and

(*ii*) whether similar permission was granted to the Muslim Students' League, Chittagong?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for such differential treatment?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) The activities of the Students' Federation are open to objection.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister please state whether the Chittagong Students' Federation is an unlawful association?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether the holding of a social gathering for the entertainment of candidates for the Matriculation Examination is considered to be open to objection?

The Hon'ble Khwaja Sir NAZIMUDDIN: Well, Sir, there were possibilities of some objectionable features creeping in in that social gathering.

Mr. NIHARENDU DUTTA MAZUMDAR: I am not asking for his opinion, Sir. I was asking a specific question to his answer (*a*) (*i*) whether the Hon'ble Minister considers the holding of a social gathering for the entertainment of candidates for the last Supplementary Matriculation Examination as open to objection?

Mr. SPEAKER: Your question is in order, but you will have to put it in a different way.

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Minister has replied that the permission was sought but refused, and stated that the activities of the Chittagong Students' Federation are open to objection. With regard to the specific activities, I am asking him a supplementary question as to whether on this specific occasion the social gathering for the Matriculation students was considered objectionable? I have put a categorical question and I want a categorical answer to it.

Mr. SPEAKER: I am not quite clear as to the question that you have put. The Hon'ble Minister has already said that the activities of this Federation are open to objection

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister please state what reasons were there for withholding this permission?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to my reply (*b*)

Rai HARENDRA NATH CHAUDHURI: Does the holding of a social gathering come within those activities of the Students' Federation that are open to objection?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think that interpretation is correct

Rai HARENDRA NATH CHAUDHURI: I am afraid the Hon'ble Minister has not understood my question aright My question was: What were the reasons that led to the withholding of the permission to hold the social gathering? That was my question, and in answer to it I have been referred to answer (*b*), which refers to the activities of the Students' Federation that are open to objection. My next supplementary question, therefore, is this: Does the holding of a social gathering come within the terms of the activities of the Students' Federation that are open to objection? The Hon'ble Minister, however, has not answered this point.

The Hon'ble Khwaja Sir NAZIMUDDIN: Well, Sir, if Government were sure that this social gathering was going to be a genuine social gathering, very likely the District Magistrate would not have objected, but as there were possibilities of this permission being abused, naturally as a precautionary measure the permission was not granted.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister please state whether it was stated in their application that they were going to hold a social gathering?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice, Sir

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister please state what were the reasons that led the District authorities to refuse the permission and into thinking that there were possibilities of this social gathering, if permitted, being converted into one of those activities of the Students' Federation that were open to objection?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I believe that the District Magistrate obviously did not want that the students coming from different parts of the district should come into contact with one another on this occasion

Mr. TULSI CHANDRA GOSWAMI: I want to ask this question categorically. The Hon'ble Minister has tried to answer the supplementary question, but he has not answered one thing He said "I believe" and "obviously" He has used these two expressions, which show that he does not know the facts May I ask him to enquire of the District Magistrate or the authorities concerned to let us know through you, Sir, whether there was really any substantial ground for withholding this permission, because it is a very serious matter, and I hope Mr Speaker, Sir, you also will realise the seriousness of the matter

Mr. SPEAKER: I hope Mr Goswami, you also will realise the seriousness and put your supplementary question in the proper form

Mr. TULSI CHANDRA GOSWAMI: I have so put it, Sir.

Mr. SPEAKER: Your question should be—as to whether the Hon'ble Minister is prepared to enquire whether there was any possibility of the activities of this social gathering being open to objection.

Mr. TULSI CHANDRA GOSWAMI: All right, Sir I accept your advice, and I ask whether the Hon'ble Minister is prepared to make an enquiry and let the House know on what specific grounds this permission was withheld?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as regards the activities of the Students' Federation I have, in a public speech at Bogra, drawn the attention of the educational authorities and also the guardians.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state what are the activities of the Students' Federation, Chittagong, which are open to objection?

The Hon'ble Khwaja Sir NAZIMUDDIN: That will require a more lengthy answer than can be given in reply to a supplementary. Therefore, I ask for notice.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether any social gathering of proved bad characters was allowed in Chittagong?

Mr. SPEAKER: That question does not arise.

Qualifications of the Textile Superintendent and the Head Master, Government Silk Weaving Institute.

*278. **Mr. AHMED ALI MRIDHA:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) the general and technical qualifications, if any, of the present—

(1) Textile Superintendent, Department of Industries, Bengal, and

(2) Head Master, Government Silk Weaving and Dyeing Institute, Berhampore, Bengal;

(*b*) the salary they are drawing now;

(*c*) when they were appointed;

(*d*) whether the posts had been advertised before the appointments were made; and

(*e*) in what manner?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): A statement is placed on the table.

Statement referred to in the reply to starred question No. 278.

Name of post.	(a) General and Technical qualifications of the present incumbents of the post	(b) Salary now drawn.	(c) Date of appointment.	(d) and (e). Whether the posts were advertised before the appointments were made, and if so, in what manner.
		Rs.		
(1) Textile Superintendent, Department of Industries, Bengal (now designated Superintendent of Textile Demonstrations).	Read up to the Entrance Class. Passed Final Examination in Weaving of the National Council of Education, Bengal. Passed the City and Guilds Examination in Cotton Weaving—Grade I. Was Assistant Weaving Master in the Bengal Luxmi Cotton Mills, Serampore, before he entered Government service in the year 1909.	320	1st October, 1925	Both the posts were advertised in the important local newspapers of the day.

Name of post.	(a) General and Technical qualifications of the present incumbents of the post.	(b) Salary now drawn	(c) Date of appointment	(d) and (e). Whether the posts were advertised before the appointments were made, and if so, in what manner.
(2) Head Master, Government Silk Weaving and Dyeing Institute, Berhampore (now known as Silk Technological Institute)	Matriculate. Passed the Diploma Examination from the Government Weaving Institute, Serampore, and the City and Guilds Examination in Weaving and Spinning in 1st class in Grades I and II. Served in the Salvation Army at Ludhiana (Punjab) and Bombay City for nearly two years and was in charge of the Salvation Army Weaving and Silk Factory at Ludhiana for nearly one year and a half. Also served as Weaving Master at the Victoria Memorial Technical Institute, Hyderabad (Nizam's State), for two years and a half. Was Peripatetic Weaving Instructor for some time in the Khulna district, Bengal. Was appointed Weaving Master in Assam in March, 1919, and was in charge of the Gauhati Weaving Institute since 1921, till his appointment in the Department of Industries, Bengal, in 1926.	Rs 290	9th November, 1926	

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state the initial pay on which the Superintendent of Textile Demonstrations was appointed?

The Hon'ble Mr. TAMIZUDDIN KHAN: I ask for notice.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state the names of the papers in which the post was advertised and the dates on which the advertisement was published in those papers?

The Hon'ble Mr. TAMIZUDDIN KHAN: The appointment was made in 1925 and, therefore, it will not be possible to give those details.

Proposed delimitation of Chittagong District Board constituencies.

***279. Khan Bahadur Maulvi JALALUDDIN AHMAD:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) when was the reconstitution of Chittagong District Board due; and

(*ii*) when is it expected to materialise?

(*b*) Has there been any delimitation of constituencies for election to Chittagong District Board?

(*c*) If so, whether the Board was consulted about the proposed delimitation?

(*d*) If the Board was consulted, will the Government be pleased to state the proposals as made by the Board and as finally accepted by Government?

(*e*) Do the Government propose to publish the draft scheme, if any, of delimitation in the district with a view to inviting public opinion thereon?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) The 10th July, 1939

(*ii*) As soon as possible after the general election which is expected to be held on the 18th November, 1940.

(*b*) and (*c*) Yes.

(*d*) Under the rules the delimitation of constituencies have to be made by Government after consultation with the District Board and the Commissioner of the Division. In regard to the Chittagong District

Board, the District Board and the Divisional Commissioner submitted separate proposals for delimitation and Government, after carefully considering these proposals, found it necessary to make certain modifications in accordance with the general principles with regard to delimitation of constituencies of District Boards which have been adopted for the Province as a whole. These modifications were agreed to by the District Board and the scheme, thus modified, was finally published by Government by notification, dated the 20th February, 1940, as required under the rules.

A statement containing the delimitation scheme for this district as originally formulated by the District Board and as finally adopted is laid on the Library table.

(c) Does not arise.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state the reasons for the unusual delay in holding the election? It was due in July, 1939, and it is going to be July, 1940. What is the reason for this unusual delay?

The Hon'ble Mr. TAMIZUDDIN KHAN: My friend is enquiring why the election has not yet been held. The reasons have already been given in the answer which I have read out. The local boards have in the meantime been decided to be abolished and the question of delimitation of constituencies for the district board had been under consideration for a long time. For these reasons the election has been delayed.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state the general principles followed with regard to the delimitation of constituencies of district boards?

The Hon'ble Mr. TAMIZUDDIN KHAN: The question is so vague that it is difficult for me to answer.

Mr. JOGESH CHANDRA GUPTA: What are the principles or points taken into consideration in making the delimitation of constituencies? The question is quite definite.

Mr. SANTOSH KUMAR BASU: I think the Hon'ble Minister's ideas are too vague and not the question.

Mr. SPEAKER: It is in accordance with the Government circular which will be placed on the Library table.

Mr. ATUL CHANDRA KUMAR: Will the Hon'ble Minister be pleased to state whether the minimum quota required for each constituency is hundred square miles in area and fifty-one lakhs of population?

Mr. SPEAKER: I have asked the Hon'ble Minister to place the circular on the Library table. On seeing that, you may put your questions.

Mr. ATUL CHANDRA KUMAR: In that case I would request you to postpone the question till to-morrow.

Mr. SPEAKER: Yes.

Water-supply schemes in the rural area of Mymensingh.

*280. **Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to lay on the table a statement showing for the year 1939-40 with respect to the Mymensingh district—

(*i*) the amount allotted this year to the district for rural reconstruction;

(*ii*) the amount allotted to different subdivisions of the district separately for the purpose;

(*iii*) the number of—

(1) ferro-concrete wells,

(2) tube wells, or

(3) masonry wells

sanctioned for each subdivision of the district;

(*iv*) the names of the contractors of each subdivision; and

(*v*) the number of wells allotted to each of the contractors?

(*b*) Is the Hon'ble Minister aware that the number of wells allotted to each subdivision is inadequate?

(*c*) Is the Hon'ble Minister considering the desirability of increasing the amount for water-supply project of the district in the next year?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) to (*iii*) A statement is laid on the table.

(*iv*) and (*v*) Information is being collected by the District Magistrate and will be furnished to the honourable member as soon as available.

(*b*) and (*c*) A comprehensive programme for provision of adequate water-supply for the whole Province, district by district, is under preparation and the requirements of every district will be fully considered in the programme. I may, however, state for the information of the House that in the meanwhile the District Board of Mymensingh has been granted a total loan of Rs. 5 lakhs. The first instalment of Rs. 2 lakhs was paid in 1938-39 and the second instalment of a similar amount in 1939-40. A provision for the remaining amount of Rs. 1 lakh has been made in the Budget for 1940-41

Statement referred to in the reply to clause (*a*) (*i*) *to* (*iii*) *of starred question No. 280*

	Rs
(*a*) (*i*) Provincial grant for water-supply	95,972
Government of India's second grant for water-supply	40,984
Government of India's second grant for sanitation	35
	1,36,991

	Rs.
(*ii*) Sadar (South)	21,032
Sadar (North)	18,125
Tangail	24,360
Jamalpur	29,266
Kishoreganj	20,822
Netrokona	23,386

	Sadar (South).	Sadar (North).	Tangail.	Jamalpur.	Kishoreganj.	Netrokona.
(*iii*) (1) Ferro-concrete wells.	.	..	63	.	..	..
(2) Tube wells.	102	98	30	207	85	140
(3) Masonry wells.		..	1	..	..	..

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Cattle epidemic in Kasba police-station, Tippera.

151. Mr. MAQBUL HUSAIN: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that an outbreak of cow epidemic has broken out in Kasba police-station in the district of Tippera; and

(*ii*) that the Veterinary Department is not taking necessary steps to prevent the epidemic from spreading?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the total number of cows affected by the epidemic from the 1st January to the 29th February, 1940; and

(*ii*) the total number of deaths during that period?

(*c*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government intend to take in the matter?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) Yes, there was an outbreak of cattle epidemic in Kasba police-station.

(*ii*) No. As soon as the report of the outbreak was received, the itinerant Veterinary Assistant Surgeon, Brahmanbaria, proceeded to the affected area and took necessary action with the result that the epidemic was brought under control and its spread completely checked.

(*b*) (*i*) No report of the epidemic was received in January. In February there were six outbreaks which affected 96 animals.

(*ii*) The total number of deaths during February was 57.

(*c*) Does not arise.

Appointments on the recommendation of the Public Service Commission.

152. Dr. NALINAKSHA SANYAL: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to lay on the table a statement showing from the 1st April, 1937, to 31st October, 1939—

(*i*) the posts for the filling up of which the recommendations of the Provincial Public Service Commission were sought;

(*ii*) the date or dates when the recommendations of the Public Service Commission were received by Government with regard to each of these posts;

(*iii*) the date or dates when the appointments have been made;

(*iv*) the posts for which the recommendations of the Public Service Commission are still awaited;

(*v*) the posts for which the appointments are still pending although the recommendations of the Public Service Commission have been received; and

(*vi*) the posts in the filling up of which the first nominations of the Public Service Commission have not been accepted by Government?

(*b*) Will the Hon'ble Minister be pleased to lay on the table another statement showing for the same period—

(*i*) the posts for the filling up of which permanently the Public Service Commission has to be consulted under the rules and regulations, but which are now being held by temporary incumbents;

(*ii*) the number of months and weeks each of such temporary incumbents is holding the respective posts; and

(*iii*) when do the Government propose to seek the advice of the Public Service Commission for duly filling up of each of these posts?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) (*i*) to (*v*) The honourable member is referred to the Annual Reports of the Public Service Commission, Bengal, for the years 1937-38 and 1938-39, copies of which are laid on the Library table.

(*vi*) A statement is laid on the Library table.

(*b*) A statement is laid on the Library table.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state, with reference to the statement placed on the Library table in reply to question (*a*) (*v*), if the seven posts referred to in the reply, viz.—

(1) post of Deputy Director of Industries,

(2) temporary post of Assistant Director of Public Information,

(3) post of Officer-in-charge of National Welfare Union,

(4) post of Inspector of Factories,

(5) post of District Inspector of Schools,

(6) post of Professor of Economics in the Bengal Senior Educational Service, and

(7) post in the Bengal Engineering Service,

have all gone to the Muslims?

Mr. SPEAKER: I am afraid I do not see how your present question arises. So far as the present question is concerned, you will have to address separate questions to various Ministers, because the Finance Minister is not responsible for them.

Dr. NALINAKSHA SANYAL: The question (*a*) (*vi*) relates to posts, in the filling up of which the first nominations of the Public Service Commission have not been accepted by Government. My enquiry is whether all these posts have gone to Muslims or not.

The Hon'ble Mr. H. S. SUHRAWARDY: The honourable member will find the reply in the Report of the Public Service Commission. Out of these seven posts, I am aware that two have gone to non-Muslims, viz., the post of Inspector of Factories has gone to a member of the Scheduled Castes and the post of Professor of Economics has gone to a caste Hindu. I have no knowledge regarding the other posts.

Dr. NALINAKSHA SANYAL: Professorship of Economics in the Chittagong College?

The Hon'ble Mr. H. S. SUHRAWARDY: A post in the Bengal Educational Service.

Dr. NALINAKSHA SANYAL: Is it a fact that the Hon'ble Minister in charge of Education a few months back stated that for the post of Professor of Economics in the Chittagong College a Muslim was taken?

The Hon'ble Mr. H. S. SUHRAWARDY: No, no.

Dr. NALINAKSHA SANYAL: May we know the name of the incumbent?

The Hon'ble Mr. H. S. SUHRAWARDY: Dr. Parimal Roy.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any reference was made to the Public Service Commission and invitation of applications was made by that body in connection with the appointment of Dr. Parimal Roy?

Mr. SPEAKER: The question which you have put now will have to be addressed to the Hon'ble Education Minister.

Dr. NALINAKSHA SANYAL: Sir, my information is that Dr. Parimal Roy was taken over from the Government Commercial Institute to the other post and that that post was not advertised nor was any application invited. Will the Hon'ble Minister be pleased to state whether that post was advertised or not?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Sir. The post was advertised. Dr. Parimal Roy was nominee No. 2.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that Dr. Parimal Roy was previously holding a Government post in the Government Commercial Institute?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: With reference to the statement referred to in reply to clauses (*i*) and (*iii*) of question (*b*), that is to say, the statement showing the posts for the filling up of which permanently the Public Service Commission has to be consulted under the rules and regulations, but which are now being held by temporary incumbents; and when do the Government propose to seek the advice of the Public Service Commission for duly filling up of each of these posts; will the Hon'ble Minister be pleased to state the reason for not getting all these posts numbering 32 being filled up on the recommendation of the Public Service Commission permanently?

The Hon'ble Mr. H. S. SUHRAWARDY: The reason is given in column No. 3.

Dr. NALINAKSHA SANYAL: The reason is not given there. Column 3 says when the advice will be sought.

The Hon'ble Mr. H. S. SUHRAWARDY: This is enough.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why it was not sought in the past—that is the question I am now putting?

The Hon'ble Mr. H. S. SUHRAWARDY: Each department presumably considered that for administrative reasons, it was not necessary to seek the advice of the Public Service Commission before the temporary appointment was made.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is in a position under the Act to obviate the purposes of the Government of India Act by appointing temporary incumbents for administrative reasons to fill up the posts for which the Government of India Act provides for recommendation of the Public Service Commission?

The Hon'ble Mr. H. S. SUHRAWARDY: The purposes of the Government of India are not defeated by providing temporary posts.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the length of service which answers to the definition of "temporary" according to Government nomenclature?

The Hon'ble Mr. H. S. SUHRAWARDY: Does the honourable member wish to know the definition of the word "temporary"?

Dr. NALINAKSHA SANYAL: Yes, according to Government dictionary.

The Hon'ble Mr. H. S. SUHRAWARDY: A post which is not permanent is a temporary post.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the minimum length of service which for administrative reasons the Government think may be filled up by temporary incumbents and the maximum period beyond which they feel that no temporary incumbent should continue?

The Hon'ble Mr. H. S. SUHRAWARDY: Not only does that vary from service to service or with the conditions of employment, but it also varies with the conditions then prevailing in the department.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state what are the reasons for continuing these temporary incumbent for periods of 8 months, 1 year, 1 year 8 months, 2 years and 2 years 3 months?

The Hon'ble Mr. H. S. SUHRAWARDY: Reasons vary with each of these posts.

Mr. TULSI CHANDRA GOSWAMI: Will the Hon'ble Minister be pleased to state the reasons?

The Hon'ble Mr. H. S. SUHRAWARDY: That question should be addressed to the administrative Minister.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state if he is aware that persons holding temporary appointments are debarred from participating in many of the facilities offered in Government service?

The Hon'ble Mr. H. S. SUHRAWARDY: As long as they are temporary, they certainly do not get the facilities; but it is compensated by the fact that they are in Government posts for which they are drawing the pay.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble Minister be pleased to state whether there is any time-limit for temporary incumbents?

The Hon'ble Mr. H. S. SUHRAWARDY: There is no time-limit, but we exercise our discretion in the matter. (Cries of Hear! hear!" from the Congress benches.)

Mr. SPEAKER: Next.

(The Secretary then called out Question No. 153.)

Dr. NALINAKSHA SANYAL: Sir, may I put one more supplementary question?

Mr. SPEAKER: I am sorry, the next question has been called out and this question has been sufficiently discussed.

Dr. NALINAKSHA SANYAL: Sir, there is yet plenty of time available——

Mr. SPEAKER: I am sorry, Dr. Sanyal. I cannot allow you to put any other question.

Dr. NALINAKSHA SANYAL: Sir, even before my leader spoke, I did get up——

Mr. SPEAKER: I am sorry, when the next question has been called out, I cannot allow you to put any more question.

Dr. NALINAKSHA SANYAL: Sir, may I submit that it is a very important question. Further, there is no other important business to-night. So, will you kindly allow me to put another supplementary question?

Mr. SPEAKER: Dr. Sanyal, I am sorry, I cannot allow you to put any more question. I have already allowed you to put so many supplementaries. After your leader had finished and the Hon'ble Minister gave his reply, I found you were then laughing, and I could not wait for that. Anyway, I cannot allow you to put any more question.

Dr. NALINAKSHA SANYAL: Sir, may I——

Mr. SPEAKER: Dr. Sanyal, I think, it is my painful duty to point out that you are interrupting me.

Dr. NALINAKSHA SANYAL: Sir, it is also our painful duty to point out that there are some important questions which require longer periods of time to examine and discuss.

Intelligence Branch of Police in Midnapore.

153. Maulvi ABDUL JABBAR: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether there is an Intelligence Branch of the Police in Midnapore?

(*b*) If so, whether appointments in that Branch are made from time to time out of the members of the general police in the district?

(*c*) Is the Hon'ble Minister aware that there is no Muslim officer in that Branch of the district?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take for the appointment of Muslim officers in that Branch?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) Specially selected officers from the general cadre are posted to the District Intelligence Branch.

(*c*) There are two Muslim Sub-Inspectors in the Branch.

(*d*) Does not arise.

Maulvi ABDUL JABBAR: Will the Hon'ble Minister be pleased to state if any Muslim officer of the district was posted in the Intelligence Branch during the last one year?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Adjournment Motion.

Mr. SARAT CHANDRA BOSE: Sir, you are aware that from this side of the House, notices of two adjournment motions have been given—one by Dr. Sanyal and the other by Dr. Suresh Chandra Banerjee—and you have been pleased to give your consent to both of them. They relate to the situation created by the strike of the scavengers and the other labour staff in the employ of the Calcutta Corporation.

Sir, I have given the matter my deep consideration and having regard to the fact that there is a reasonable chance of suspension of the strike with a view to settlement, I am afraid, it might prejudice the

cause if we discuss the matter here and now. In those circumstances and as I feel convinced to-day that some of the members of the Corporation are up and doing and active in promoting the settlement, I think it is my duty to inform you that we do not desire to proceed with these motions.

Mr. SPEAKER: I am very glad to hear it.

Schedule of Authorised Expenditure.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in pursuance of sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg to lay before the Assembly a schedule of authorised expenditure for the year 1940-41, as authenticated by the signature of the Governor under sub-section (*1*) of section 80.

Sir, in pursuance of section 81 read with sub-section (*2*) of section 80 of the Government of India Act, 1935, I beg also to lay before the Assembly a schedule of authorised expenditure for the year 1939-40 in connection with the Supplementary Budget, as authenticated by the signature of the Governor under sub-section (*1*) of section 80 read with section 81.

Programme of Business.

Dr. NALINAKSHA SANYAL: Sir, may I now enquire if we are getting a date or dates for the discussion of the Motor Vehicles Rules for which I have given due notice to your department?

Mr. SPEAKER: Let me first get hold of the authenticated copy of the Rules.

Mr. SURENDRA NATH BISWAS: Sir, may I know if Government have decided to fix up a day for non-official business?

Mr. SPEAKER: Yes, it has been decided that, in any case, non-official business will be taken up on Friday next. But I would like to know from the Opposition whether they will take up resolutions or non-official Bills on that day.

Rai HARENDRA NATH CHAUDHURI: Sir, one of the non-official Bills has been only half-finished.

Mr. SPEAKER: Then we will take up non-official Bills on Friday next.

Now, for Thursday, there is no work pending for the time being. If in case the other House finishes the Bengal Tenancy (Third Amendment) Bill by to-morrow, then it will be possible for us to send notice in time to take it up on Thursday. In view of the peculiar situation in Calcutta, I am very anxious that the House should not meet unless it is absolutely imperative. But in any case Thursday is likely to be taken for official business of which an announcement will be sent to you by to-morrow afternoon, and on Friday we will take up non-official Bills.

As regards Motor Vehicles Rules, I do not know what the Government is going to do.

Mr. Khwaja SHAHABUDDIN: May I just say one thing, Sir. The Bill in the other House is likely to be finished to-morrow.

Mr. SPEAKER: About that I have decided that it should be taken up on Thursday.

Dr. NALINAKSHA SANYAL: May I submit one thing, Sir? In view of the uncertainty of further business coming from the Upper House, may we not request Government to adjourn for the rest of the week so that we may meet on Monday next and take up the remaining business? It appears that Government will not be able to give us any business for this week.

Mr. SPEAKER: I should like to know if it is possible for us to have any business on Wednesday either on Motor Vehicles or something else.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as the Motor Vehicles Rules are concerned, the Conference considered my suggestion and those who were present this morning have agreed unanimously that the consideration of the Rules be postponed till the Monsoon Session of the Legislature and Government will undertake to give effect by an executive order to any decision arrived at by the Legislature, and they will see that it has the same effect as it would have had if it had been passed by the House during this session.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, so far as the statement which has been made by the Hon'ble the Home Minister is concerned, it is absolutely correct. At the same time, I think it is necessary on my part to make the position a little more clear. These Motor Vehicles Rules were laid before the Legislature on the 20th March. It has been provided in the Motor Vehicles Act that the Rules framed by the Provincial Government shall be laid before the Legislature for 14 days and such modifications as the Legislature may lay down during the session in which these rules are laid before the

Legislature will be incorporated in the Rules. It so happened that the Rules were laid before the Legislature at a very late date, so that this House has not been given proper opportunity to complete their work so far as these Rules are concerned within this particular session before this session comes to an end. Under the circumstances, the situation which has been created deprives the Legislature of its rightful opportunity of having its say on these Rules so that the modifications, if any, might have been incorporated in the Rules. Well, that responsibility is entirely with the Government, having regard to the inordinate delay which has taken place in placing the Rules before the Legislature. I must say in fairness to the Hon'ble the Home Minister that he tried to explain this delay in the Conference. Anyhow, I personally feel that this delay might have been avoided and the Legislature might have been given a fair opportunity. At the same time it would not be right on the part of the Conference to rush this matter without giving adequate consideration to these very important Rules. It so happens, Sir, that this session has got to conclude before this matter emerges out of the Conference. Under the circumstances, there was no other alternative open to the Conference than to agree to the suggestion made by the Home Minister that whatever modifications are made by the Legislature at a subsequent session, the Government will accept them and give effect to them and incorporate them as Rules made by the Government themselves, although the Legislature will have no statutory right to subject the Rules to those modifications. That is why we arrived at a unanimous decision on that point, although I must once more make it clear that the Legislature has been deprived of its rightful opportunity on account of the delay on the part of the Government in bringing the matter up during this session.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, may I submit one or two things in this connection? When this matter was brought before the House, it was I who tried my very best to get some opportunity for the members of the House to examine the provisions of the Rules. There are certain Rules which if they come into effect as they do to-day will make it impossible for motor vehicles of certain classes to exist from this date. There are rules under which certain classes of motor vehicles which have been purchased by owners in the past will have to go out from the road altogether. Certain vested interests may also be created against the interests of Bengalees. These would create a good deal of hardship. The purpose of these Rules and the Act has been to stifle motor vehicles in the province in the interests of railways. I would like the Honourable Minister in charge to examine these effects very carefully and to see whether the ends of justice would be properly served if he postpones the consideration to a later session even if he desires that subsequently he might help the Legislature by executive action after the Legislature comes to a decision.

Mr. SPEAKER: The Hon'ble Home Minister has already given assurance, and I understand from Mr. Basu that the Government have agreed to come to a decision on the recommendations of the Conference.

Dr. NALINAKSHA SANYAL: So far as the Conference is concerned, Sir, I have had even from the very beginning my doubts if the Conference will be able to come to a decision. So, the position appears to be like this. Only if the Conference comes to a decision, the Government will be pleased to give effect to the amendments agreed to by executive action, but the fact will remain that the members of the House have been completely deprived of their right to put amendments.

The Hon'ble Khwaja Sir NAZIMUDDIN: The position is that the report of the Conference shall be placed before the House and on that report the House will be entitled to discuss all and every rule that has been published by Government.

Dr. NALINAKSHA SANYAL: There is one other point, Sir. In the meantime I would request Government to suspend operation of such Rules which will make it impossible——

Mr. SPEAKER: I can't agree to that.

Dr. NALINAKSHA SANYAL: Otherwise, it is no use postponing things. We have got a statutory right, otherwise, Sir, I will be compelled to go to Court for injunction on Government.

Mr. SPEAKER: Dr. Sanyal, you can do it outside the House. You need not talk about it here.

May I suggest that it will be convenient if non-official Bills are taken up on Wednesday instead of on Friday? Is there any objection?

Rai HARENDRA NATH CHAUDHURI: We have no objection, Sir.

Mr. SPEAKER: The House stands adjourned for consideration of non-official Bills on Wednesday at 4-45 p.m., and it will meet on Thursday to discuss any official matters which might come from the other House for final consideration. In case the business is finished that day, it is most likely that the House may be prorogued on Thursday.

Adjournment.

It being 7-20 p.m.—

The House was adjourned till 4-45 p.m. on Wednesday, the 3rd April, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 3rd April, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 9 Hon'ble Ministers and 218 members.

STARRED QUESTIONS

(to which oral answers were given)

Communal ratio of Civil Court clerks in the subdivisions of Midnapore.

***281. Mr. KRISHNA PRASAD MONDAL:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department, be pleased to state—

(*a*) the present number of Civil Court clerks in the upper and lower divisions in the district of Midnapore;

(*b*) how many of them are in the—

(1) Sadar subdivision,

(2) subdivision of Tamluk,

(3) subdivision of Jhargram,

(4) subdivision of Contai, and

(5) subdivision of Ghatal; and

(*c*) how many of them are—

(1) Caste Hindus,

(2) Muslims, and

(3) Scheduled Castes?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): A statement is laid on the table.

Statement referred to in the reply to starred question No. 281.

(a) Upper Division .. .. .. 21 (including one District Judge's stenographer).

Lower Division 121

(b) (1) Sadar subdivision—

Upper division 14

Lower division 70

(2) Subdivision of Tamluk—

Upper division 3

Lower division 18

(3) Subdivision of Jhargram—

Upper division 1

Lower division 9

(4) Subdivision of Contai—

Upper division 2

Lower division 14

(5) Subdivision of Ghatal—

Upper division 1

Lower division 10

	Upper division.	Lower division.
(c) (1) Caste Hindus	21 (including one District Judge's stenographer).	95
(2) Muslims	None	25
(3) Scheduled Castes and Minority community	None	1 (Christian).

Babu MADHUSUDAN SARKAR: With reference to answer (*c*) (*i*), will the Hon'ble Minister be pleased to state whether there was any Scheduled Caste candidate at the time of those appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I ask for notice.

Circular from Registrar, Co-operative Societies, to Secretaries of Central Co-operative Banks.

***282. Mr. SATYA PRIYA BANERJEE:** (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware that a circular letter No. 9045(118), dated the 22nd December, 1939, from the Registrar of Co-operative Societies, Bengal, has been sent to the Secretaries of the Central Co-operative Banks forwarding therewith a copy of the Co-operative Societies Bill as passed by the Assembly for examination?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for issuing incorrect information to the Secretaries of the Central Co-operative Banks in the manner referred to in clause (*a*)?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Yes.

(*b*) Through oversight; it is regretted that the words "the Select Committee of" before the words "the Assembly" were inadvertently omitted. This was however corrected in a subsequent letter.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the date when the Select Committee report in connection with this Bill was placed before the Assembly and the Assembly was in possession of the report?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It was placed before the Assembly in December last. I do not remember the exact date.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that the date on which it was placed before the Assembly was 22nd December, 1939—the date mentioned in the letter under reference? May I enquire if the permission of the Hon'ble Speaker was taken in circulating a paper or document which was a document belonging to the Assembly?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: So far as I remember, it was not circulated before it was placed before the House.

Dr. NALINAKSHA SANYAL: Whether it was placed before or after does not matter. But this is a document which is a property of

the House, and I would like to know if the Government took or did think it necessary to take the permission of the Hon'ble Speaker before circulating it to the public outside?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I have already said that it was not circulated before it was placed before the Assembly.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the words "the Select Committee of" were not there in the hope that the Assembly would adopt the Bill as it stands?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: The title page shows distinctly that it contained the words "the report of the Select Committee."

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when and by what letter—the number and date of the letter—this mistake was subsequently corrected?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the correction was made after the question was sent to his department?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I do not think so.

Dr. NALINAKSHA SANYAL: I want a definite answer. It is not a question of thinking or surmise. This appears to be an irregularity.

Mr. SPEAKER: If there is any irregularity, I will look into it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government attempted to misdirect the Central Bank by showing that more powers are given to the Registrar by circulating this letter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I do not think so.

Dr. NALINAKSHA SANYAL: It is not a question of thinking, it is a question of fact. Either it is yes or no. May I have your help, Sir, in obtaining the correct reply, and not this sort of evasive reply?

Mr. SPEAKER: You may ask what was the intention of Government?

Dr. NALINAKSHA SANYAL: I have already asked him to say "Yes" or "No".

Mr. SPEAKER: He has already said so. He has said, "I don't think so."

Mr. SATYA PRIYA BANERJEE: May I ask the Hon'ble Minister if this is not an instance of the slipshod manner in which the work of the department in his charge is being carried on?

Mr. SPEAKER: That is a matter of opinion.

Mr. SURENDRA MOHAN MOITRA: Is the Hon'ble Minister aware that the result of issuing this Bill without the words "the Select Committee of" has been that the Assistant Registrar of the Rajshahi Division told the Secretary of the Rajshahi Central Bank that the Bill, as introduced in the Assembly, has passed through the Select Committee and that there have been no changes there? The result has been that the impression was allowed to gain in the mind of the Secretary that more powers were given in the Bill?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am sorry, I do not know what impression it had, but so far as I know there is nobody in the Central Bank who will not be able to understand that this is a report of the Select Committee and nothing more.

Mr. SATYA PRIYA BANERJEE: May I ask who is responsible for this oversight? I want to know the name of the particular officer.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It is not possible for me to say that, because so many clerks and officers are involved.

Muslim Female Training School at Chittagong.

*283. **Khan Bahadur FAZLUL QUADIR:** Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps the Government have taken up till now on the application submitted to the Director of Public Instruction, Bengal, on the 5th

November, 1937, and on the 19th October, 1939, respectively, and also on the points raised in the address presented to the Hon'ble Chief Minister during his last visit on the 17th and 18th January, 1939, for the establishment of a Muslim Female Training School at Chittagong?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): Pending consideration of a scheme for a Vernacular Training College at Chittagong for girls of all communities, the scheme for a training class for Muslim girls has been held up.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state how long will he take to consider the scheme?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is very difficult for me to say that, but I can give only an approximate date—it may be within six months.

Khan Bahadur Maulvi SHAH ABDUR RAUF: Will the Hon'ble Minister be pleased to state what relation has the scheme for training class for Muslim girls with the scheme for a Vernacular Training College for girls?

The Hon'ble Mr. A. K. FAZLUL HUQ: It has been represented that there may be a Vernacular Training College for girls of all communities, Muslim girls being given special consideration. If that proposal is accepted—the proposal is being examined—then it will lead to some economy. But if that position is not accepted, then Muslim girls will have a college of their own.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether that has been included within the scheme for a Vernacular Training College for girls?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think so.

Principal of the Jagannath Intermediate College, Dacca.

*284. **Mr. TARINI CHARAN PRAMANIK:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the name of the Principal of the Jagannath Intermediate College at Dacca?

(*b*) When was he due for retirement?

(*c*) What is his present age?

(*d*) How many extensions have been given to him?

(*e*) When is his present extension due to expire?

(*f*) Is it a fact that his brother and a son have been appointed lecturers in the said college?

(*g*) How many other relations of his are serving in that college?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Rai Satyendra Nath Bhadra Bahadur.

(*b*) November, 1939.

(*c*) 65 years and 4 months.

(*d*) Three.

(*e*) The end of June, 1941. But the extension has not yet received Government's approval. The matter is under consideration.

(*f*) A son has been in the service of the college since 1929.

(*g*) None.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*e*), will the Hon'ble Minister be pleased to state on what consideration this Principal was allowed extensions?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government have got absolutely no hand in the matter of extensions. They are recommended by the Governing Body, and the Government approves. On each of these occasions the Governing Body repeatedly recommended the extension and the Government accepted the recommendation.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*e*), will the Hon'ble Minister be pleased to state whether so far as the present extension is concerned Government is willing to approve of it?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is exactly a matter which I am considering, and I am afraid I cannot say now what my decision would be.

Inadequacy of arrangements for treatment of cattle disease in certain police-stations of Dinajpur district.

***285. Maulvi ABDUL JABBAR:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Veterinary Department aware—

(*i*) that the arrangement for treatment of cattle disease in the Chinirbandar, Parbatipur, Nawabganj and Ghoraghat police-stations of the Dinajpur district is inadequate; and

(*ii*) that the Veterinary hospital at Parbatipur has practically been closed down?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is considering the desirability of making suitable arrangement for treatment of cattle disease in the said areas?

MINISTER in charge of the AGRICULTURE and VETERINARY DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*) The treatment of cattle diseases and injuries and the provision of adequate hospital and dispensary facilities for the purpose are now entirely the concern of the local bodies whereas Government have taken the full responsibility in respect of the control and prevention of cattle epidemic. Government have, however, undertaken as a matter of grace to bear the usual one-third contribution on account of the pay, pension and leave allowances of the stationary Veterinary Assistant Surgeons employed on hospital and dispensary work up to a limit of one per subdivision. They have taken the full financial responsibility in respect of the entire itinerant Veterinary staff employed on epidemic control work thereby relieving the local bodies of a heavy recurring expenditure which should enable them to start a large number of Veterinary hospitals and dispensaries and appoint additional stationary Veterinary Assistant Surgeons, over and above those for which Government have undertaken to pay the usual contribution. Government are therefore not responsible for the adequacy or otherwise of the facilities for the treatment of ordinary cattle diseases in the areas referred to by the member.

(*ii*) The Veterinary Dispensary at Parbatipur is entirely under the control of the District Board but I have ascertained that after transfer of the Veterinary Assistant Surgeon in charge as a provincialised itinerant Veterinary Assistant Surgeon elsewhere, the dispensary remained closed for some time. It has however been reopened and the Veterinary Assistant Surgeon, Dinajpur Hospital, directed to attend it once a week pending consideration by the District Board of the question whether the dispensary should be retained at that place.

(*b*) Does not arise.

Khan Bahadur SHAH ABDUR RAUF: Will the Hon'ble Minister be pleased to state whether the Government are prepared to bear any portion of the cost, recurring or capital, of starting and maintaining a veterinary dispensary by local bodies?

The Hon'ble Mr. TAMIZUDDIN KHAN: No, Sir, all that Government are prepared to pay is one-third of the pay and leave and pension allowance of the veterinary surgeons.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what formula Government have devised to distinguish between an ordinary cattle disease and an epidemic cattle disease, because I find it stated that ordinarily cattle disease is the entire responsibility of the district board, but that Government have taken over responsibility only for epidemic cattle diseases, and two sets of arrangements have been made?

Mr. SPEAKER: Well, one is distress and the other is famine. (Laughter.)

Dr. NALINAKSHA SANYAL: May I know from the Hon'ble Minister what formula Government have devised to distinguish between these two sets of diseases?

The Hon'ble Mr. TAMIZUDDIN KHAN: It appears that my honourable friend, Dr. Sanyal, wants me to let him know the meaning of the words "ordinary disease and epidemic disease"!

Dr. NALINAKSHA SANYAL: In so far as the cattle diseases are the concern of local bodies, may we know what are characterised by Government as ordinary cattle disease and what are the diseases which come under the category of epidemic cattle disease, because I find in the answer that Government are not responsible for the adequacy or otherwise of the facilities for the treatment of ordinary cattle diseases? We would have very much liked to have such an answer before the budget grant on this subject was passed by this House. After the budget grant has been passed an answer of this character——

Mr. SPEAKER: Well, that is no supplementary question. Dr. Sanyal!

Dr. NALINAKSHA SANYAL: Anyway, Sir. I would like to know what is the definition of the two diseases that the Government have decided upon?

The Hon'ble Mr. TAMIZUDDIN KHAN: Wherever the disease breaks out in an epidemic form that is an epidemic disease.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state whether the epidemic cattle disease surgeons who are now in the employ of the Provincial Government will or will not be available for attending cattle diseases which occur in a local area when they may be present there?

The Hon'ble Mr. TAMIZUDDIN KHAN: In some places they have been asked to attend to ordinary cases also.

Mr. SPEAKER: The Hon'ble Minister has already explained that in his last budget speech.

Dr. NALINAKSHA SANYAL: Sir, I am taking my stand on this question. In the budget we had all kinds of promises which are not meant to be carried out. During the budget discussion he said categorically that these veterinary surgeons who were now provincialised would be available for all kinds of cattle diseases.

Mr. SPEAKER: That is under contemplation.

Dr. NALINAKSHA SANYAL: That is why I want to know if epidemic cattle disease surgeons do not happen to be in a local area and if their services are requisitioned for treating cattle under disease will they be permitted to go and attend on those cattle or will they refuse?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, this question was further examined only the other day. If epidemic doctors are attached to certain dispensaries and hospitals, they may be called away at any time for doing epidemic duty. At that time the work of the hospital will immensely suffer and there is bound to be an uproar from the locality concerned. Therefore, Government have arranged that so far as stationary veterinary surgeons are concerned, it will be the lookout of the district boards to appoint them so that they may be wholetime officers of the district boards to attend to the ordinary cattle disease.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state if in connection with the provincialisation of the veterinary surgeons service promises were held out to the district boards that these surgeons will be available under the command of the district boards to do hospital duty also whenever necessary?

The Hon'ble Mr. TAMIZUDDIN KHAN: The answer is in the negative.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state if it is a fact that the district board authorities have been advised by Government not to appoint any further additional veterinary surgeons unless they can get previous approval of the department?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is farthest from the truth, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state if it is a fact that the department concerned who have taken over the service of the existing veterinary surgeons in the districts who are working under the district boards have, in certain cases, permitted those men to continue in the same kind of work as they were doing before?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I have already said that only in a very few cases,—two or three,—that permission had to be given under special circumstances.

Khan Bahadur SHAH ABDUR RAUF: Will the Hon'ble Minister be pleased to state what are the duties of the veterinary surgeons when there is no epidemic? Do they sit idle or do any kind of work?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, let me make the thing clear. The position is this. Epidemics are present almost during the whole of the year at one place or another. Therefore, it cannot be said that there is no epidemic at any particular time. There is now only one doctor per subdivision. Suppose an epidemic takes place in a particular place, one doctor will not be enough to look after it. So epidemic doctors have got to be requisitioned from other places. Therefore, they are almost always engaged in doing their work. There is also another part of their duty, which has not yet been well organised, that is the preventive work. When preventive work is well organized, it is expected that there will then be very few outbreaks of epidemic.

Maulvi ABDUL JABBAR: Sir, may I know what will happen in a case where rinderpest appears in a place 5 miles away from stationary dispensary in charge of a district board, then who will attend that case?

Mr. SPEAKER: Well, that is purely a hypothetical case.

Dr. NALINAKSHA SANYAL: With reference to (*a*) (*i*), will the Hon'ble Minister please state, seeing that the dispensary facilities are now entirely the concern of the local bodies, what arrangements Government have made to contribute liberally towards the funds of these local bodies to enable them to undertake adequate facilities for the treatment of ordinary cattle diseases?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: I want to know, Sir, if Government are going to make any financial contribution to these local bodies?

Mr. SPEAKER: That has been already answered, namely, they will make the usual one-third contribution, and nothing more than that.

Dr. NALINAKSHA SANYAL: That is for one doctor per one subdivision, but I want to know, Sir, if any other contribution or grant to the district boards has been arranged for, because it appears that Govenment sponsored this scheme on their own responsibility.

Mr. SPEAKER: But he has already said that—one assistant surgeon per subdivision.

Dr. NALINAKSHA SANYAL: I know that, Sir, but I want to know whether Government have made any other arrangement except that which is provided for in the answer to help or enable the district board to make any adequate arrangement?

Mr. SPEAKER: That is already in the answer.

Maulvi AHMED ALI MRIDHA: Is the Hon'ble Minister aware that the transfer of veterinary staff from the district boards to the Subdivisional Officer has been causing great inconvenience in Dinajpur in the matter of getting relief in epidemic cases and that the people find it difficult to file reports of cattle epidemics when such officers are away on tour or are engaged in hearing cases?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that, but if the local people are suffering, it is a matter for the district board concerned. Perhaps the district board is trying to make some profit. Formerly the district boards had to pay two-thirds of the cost of the pay, allowances, etc., of the entire district veterinary staff. Now they have been absolved of that responsibility altogether. They will have to pay two-thirds of the cost of the pay, pension, and allowances of the stationary veterinary surgeons only. If they want to make profit, Government cannot help it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state how many epidemic surgeons have been allowed to these areas, particularly Chinirbandar, Parbatipur, Nawabganj and Ghoraghat police-stations of the Dinajpur district?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Sj. MANINDRA BHUSAN SINHA: With reference to his answer that the district board is perhaps trying to make profit, will the Hon'ble Minister be pleased to state whether he has taken any steps to stop such profiteering by district boards?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir, we are taking steps.

Communal ratio in temporary Land Acquisition Department started at Dacca Collectorate.

*286. **Maulvi AULAD HOSSAIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) whether in March, 1939, a special Land Acquisition Department (temporary) was started at the Dacca Collectorate to dispose of the surplus land to be relinquished by the Assam-Bengal Railway in Tangi and Bhairab Bazar line;

(*ii*) the number of men recruited to the department;

(*iii*) the number of them that were Muslims; and

(*iv*) whether communal ratio was observed in this case?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) and (*iv*) Yes.

(*ii*) Six.

(*iii*) Two.

(*b*) Does not arise.

Issue of crop loans through Co-operative Crop Loan Societies in 1939-40.

*287. **Khan Bahadur FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the number of Co-operative Crop Loan Societies formed during the year 1939-40;

(*ii*) the number of societies which issued crop loans during the last cultivation season;

(*iii*) the total amount of loan issued to the cultivators by these societies;

(*iv*) the total number of cultivators who have received the loans;

(*v*) the amount of loan that has so far been repaid; and

(*vi*) the amount that remains to be repaid?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) what portion of these loans was advanced by Government through the Bengal Provincial Co-operative Bank, Limited;

(*ii*) what interest was charged on the loans advanced by Government;

(*iii*) what expenses, if any, have been incurred by Government in the issue and recovery of these loans;

(*iv*) what income, if any, is expected by Government on the investment; and

(*v*) what amount of loss, if any, the Government apprehend on this investment?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) 7,325.

(*ii*) 9,760.

(*iii*) Rs. 20,06,368.

(*iv*) 191,017.

(*v*) Rs. 18,05,070.

(*vi*) Rs. 2,01,298.

(*b*) (*i*) Rs. 13,50,000.

(*ii*) 3¼ per cent. per annum.

(*iii*) No expense was incurred.

(*iv*) Approximately Rs. 25,300.

(*v*) No loss is apprehended.

SHORT NOTICE QUESTION.

Extension of service to the Chief Executive Officer, Corporation of Calcutta.

*287A. **Maulvi MOSLEM ALI MOLLAH:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) the present age of the Chief Executive Officer to the Corporation of Calcutta;

(*ii*) the length of his service in the Corporation of Calcutta;

(*iii*) how many extensions in service he has already been granted;

(*iv*) whether he has reached his age of superannuation; and

(*v*) whether Government are contemplating approval of the Corporation's action of granting him another extension of service?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of Public Health and Local Self-Government Department): (*i*) About 58 years and 8 months.

(*ii*) 21 years.

(*iii*) Three.

(*iv*) The question does not arise as there is no prescribed age of retirement in the case of the officers appointed by the Corporation under section 51(*I*) of the Calcutta Municipal Act for limited periods.

(*v*) The matter is under my consideration.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state how long this matter has been under his consideration?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Only for a short time.

Mr. SYED ABDUL MAJID: How long approximately?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice. It is very difficult for me to remember the dates, but I can say that it is not for a very long time.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Submission of returns by Dacca Collectorate showing non-Scheduled Caste employees as Scheduled Caste ones.

154. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the total number of clerical employees in the Dacca Collectorate in the year 1940; and

(*ii*) the number of them that are—

(1) Caste Hindus,

(2) Muslims, and

(3) Scheduled Castes?

(*b*) **Is it a fact that while submitting Scheduled Caste figures as regards clerical employees, the Dacca Collectorate has been submitting the same by including four non-Scheduled Caste employees, i.e., backward class employees, who really belong to the Caste Hindu category?**

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) 179.

(*ii*) (1) Caste Hindus	...	... 98
(2) Muslims	..	... 75
(3) Scheduled Castes	...	... 3
	Total	... 176

(*b*) No. Government have not yet prescribed any return for showing Scheduled Caste employees.

Babu MADHUSUDHAN SARKER: Will the Hon'ble Minister be pleased to state the reasons for the small number of appointments held by members of the Scheduled Castes in the Dacca Collectorate?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: These appointments were made before the communal ratio in the public services was fixed, and as there was then no proportion of appointments fixed for the Scheduled Castes, the appointments were made according to the usual practice.

Babu MADHUSUDHAN SARKER: Was it the policy of Government, before the fixation of communal ratio, that even when qualified men from the Scheduled Castes were available they were not appointed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, it was just the other way.

Babu KSHETRA NATH SINGHA: Will the Hon'ble Minister be pleased to state whether the answer "No" given in reply to question (*b*) is in order? Under (*b*) the question asked is: "Is it a fact that while submitting Scheduled Caste figures as regards clerical employees, the Dacca Collectorate has been submitting the same by including four non-Scheduled Caste employees, *i.e.*, backward class employees, who really belong to the Caste Hindu category." In answer (*a*)(*ii*) it is said that the number of Scheduled Caste employees is 3. Is it a fact that the number of Scheduled Caste employees shown is not from Scheduled but from non-Scheduled Castes?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. It is from the Scheduled Castes. The reply to question (*b*) is "No".

Communal ratio of dismissed Police Sub-Inspectors.

155. Mr. ABDUR RASCHID MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state how many Sub-Inspectors of Police have been dismissed from the 1st April, 1937, to the 29th February, 1940?

(*b*) How many of them are—

(1) Muslims;

(2) Scheduled Castes;

(3) Caste Hindus; and

(4) others?

(*c*) What were the charges against each of them?

(*d*) Is it a fact that most of these dismissed officers have submitted appeals to Government against the order of dismissal?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) how many such appeals have been disposed of;

(*ii*) how many of them are pending with the Government; and

(*iii*) when the Government propose to dispose of the pending appeals?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) 27

(*b*) (1) 14.

(2) Nil.

(3) 11.

(4) 2 (Buddhists).

(*c*) The information asked for is not readily available and I do not think that the value of the information when collected will justify the time and labour involved in collecting it.

(*d*) Yes.

(*e*) (*i*) 3.

(*ii*) 20.

(*iii*) As early as possible.

Babu MADHUSUDAN SARKER: With reference to answer (*b*), will the Hon'ble Minister be pleased to state, in view of the fact that no Scheduled Caste officers have been dismissed because they have been serving faithfully the department, whether Government will, at the time of making appointments, give special consideration to Scheduled Caste candidates?

Mr. SPEAKER: That question does not arise.

Recruitment of constables from amongst the inhabitants of the 24-Parganas.

156. Khan Bahadur A. F. M. ABDUR RAHMAN: Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

(*a*) the number of constables and literate constables that have been appointed since 1937 to January, 1940;

(*b*) the number of them that are—

(1) Muslims, and

(2) Hindus; and

(*c*) how many of them are *bona fide* residents of the district of the 24-Parganas?

The Hon'ble Khwaja Sir NAZIMUDDIN:

(*a*)

Calcutta Police	.. .. ..	579
Bengal Police	.. .. ..	3,315
	Total ..	3,894

(*b*)

	Muslims.	Hindus.
Calcutta Police	262	317
Bengal Police	1,427	1,888
Total ..	1,689	2,205

(c) The information asked for is not readily available and I do not think that the value of the information when collected will justify the time and labour involved in collecting it.

Grievances of adhiars in khas mahal areas in Jalpaiguri.

157. Mr. KHAGENDRA NATH DAS GUPTA: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that in the Jalpaiguri district the number of *adhiars* are on the increase;

(*ii*) that the *jotedars* are gradually dispossessing their *raiyats* and converting them into their *adhiars* by resuming their holdings;

(*iii*) that in the *khas mahal* areas the Government do not recognise *dar-chukanidars*;

(*iv*) that there is a feeling amongst the *adhiars* in the jurisdictions of Panchagar, Boda and Debiganj police-stations over the questions—

(1) of the *khaskhamar* system (i.e., forcible stacking by the *jotedars* of crops in their own farm-houses),

(2) of realisations by the *jotedars* of various kinds of *abwabs* in the shapes of *khamaru*, *gola muchani*, *anginachacha*, *dhulakhawa*,

(3) of contributions towards Durga Puja, Muharram, etc.,

(4) of rate of interest (sometimes 75 per cent. on the borrowed paddy), and

(5) of free labour locally known *hauli*; and

(*v*) that the local authorities have made enquiries into the matter?

(*b*) If the answers to clauses (*a*) (*iv*) and (*v*) are in the affirmative, will the Hon'ble Minister be pleased to state whether the local authorities have submitted any report?

(*c*) If so, what action does the Hon'ble Minister propose to take in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) and (*ii*) Government have no information.

(*iii*) Yes, because the lease condition prohibits subinfeudation beyond one degree, i.e., beyond the grade of *chukanidars*.

(*iv*) (1), (2) and (4) Yes.

(3) No.

(5) Yes, but the *adhiars* are fed for such labour and they are given better food then.

(*v*) Yes.

(*b*) Yes.

(*c*) The local authorities have taken steps to put an end to these exactions. *Jotedars* have been warned; and all complaints are being carefully investigated.

Mr. ATUL CHANDRA SEN: With reference to answer (*iv*)(*5*) where it is admitted that there is a feeling amongst the *adhiars* over the question of free labour locally known "*Hauli*," will the Hon'ble Minister be pleased to state whether it is a feeling of resentment?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is a matter of opinion. Whether it is a feeling of resentment or anger, it is very difficult for me to say. But there is a feeling. That much I can say.

Mr. ATUL CHANDRA SEN: Is this "free labour" forced labour?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is not forced labour. It is free labour certainly.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state why instead of being fed the people are not given proper wages?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is more than I can answer.

Mr. SPEAKER: How can the Hon'ble Minister answer that sort of question? That is not the duty of Government.

Mr. KHAGENDRA NATH DAS GUPTA: With reference to answer (*iv*)(*2*), will the Hon'ble Minister be pleased to state what steps the local officers have so far taken to put an end to these exactions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The local officers called conferences of the *adhiars* and *jotedars* and tried to settle the disputes by adopting certain formula, according to which the relationship between the two classes should be guided.

Mr. ATUL CHANDRA SEN: Will the Government consider the desirability of stopping this "free labour" which looks like forced labour and assuaging the feelings of *adhiars*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The whole matter is under the consideration of Government in connection with the recommendations of the Land Revenue Commission. So, if necessary, Government will take steps to stop it.

Re-excavation of Ramnagar Drainage Khal in Midnapore district.

158. Mr. ISWAR CHANDRA MAL: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that the Ramnagar Drainage *khal* in Midnapore district has been re-excavated?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the amount spent for re-excavation;

(*ii*) the amount spent for the ascertainment of the ownership of the land within the area to be benefited by the scheme;

(*iii*) the amount spent as remuneration to the Irrigation Department in view of their taking over charge of the work;

(*iv*) the acreage of the benefited area;

(*v*) the rate of tax per acre or per bigha to be levied on the tenants;

(*vi*) the rate to be levied per acre on the zemindars;

(*vii*) the amount of contribution by the District Board, or Government or any other public body; and

(*viii*) the quantity of earth work and the rate per thousand of earth work?

(*c*) Is the Hon'ble Minister aware that the settlement cost is large in comparison with the amount of work?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) No. The re-excavation of the *khal* has not yet been taken in hand. Preliminary steps such as land acquisition and revision of the record-of-rights are being taken now.

(*b*) and (*c*) Do not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please enlighten us as to the cost that has been estimated for the re-excavation of the *khal*?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to enlighten us as to the rate of tax per acre or per bigha to be levied on the tenants?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Communal ratio in Bengal Administrator-General's office.

158. Mr. PATIRAM ROY: (*a*) Will the Hon'ble Minister in charge of the Legislative and Judicial Department be pleased to state—

(*i*) the present number of clerks in the office of the Administrator-General, Bengal, and

(*ii*) the number of them that are—

(1) Caste Hindus,

(2) Muslims, and

(3) Scheduled Castes?

(*b*) Has the service ratio as fixed by the Government been maintained in that office?

(*c*) Is it a fact that four clerks belonging to one community have recently been appointed in the said office?

(*d*) If the answer to (*c*) is in the affirmative, what steps do the Government propose to take in the matter of future appointments in the office?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) The total sanctioned strength is 85.

(*ii*) (1) 67 Caste Hindus.

(2) 13 Muslims.

(3) 3 Scheduled Castes.

(4) 2 vacant.

(*b*) The percentage for employment of Muslims prior to the communal ratio decision is below the minimum fixed. The question of adjustment of the deficiency is under consideration and steps will be taken to see that appointments now made are in accordance with the communal ratio decision and the rules framed to implement that decision.

(*c*) No.

(*d*) Does not arise.

Mr. MONMOHAN DAS: With regard to appointments from the Scheduled Castes, I may say that the number of Scheduled Castes employees is very low; so, will the Hon'ble Minister be pleased to state whether Government think it desirable to take any steps so that

the deficiency in the number of Scheduled Castes appointments may be levelled up in comparison with other communities, such as, Caste Hindus and Muslims?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The answer is quite in order. All the appointments that have so long been made cannot now be done away with. In future, the communal ratio will be observed and Government will see that it is observed.

Grant-in-aid to the Jatrapur Bandar madrassah in Kurigram subdivision, Rangpur.

160. Kazi EMDADUL HAQUE: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that a madrassah was opened about 20 years ago at the Jatrapur Bandar in Kurigram subdivision for education of the Muslim boys;

(*ii*) that the Managing Committee of the institution applied to the local Educational officers from time to time for a suitable grant-in-aid but without avail;

(*iii*) that there is no other institution within a radius of 3 miles; and

(*iv*) that the madrassah has not up till now been visited by any Inspecting officers of the Education Department?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Are the Government considering the desirability for helping the institution with a monthly grant-in-aid?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) There was an attempt to open a madrassah at the Jatrapur Bandar. But the organisers could not fulfil the minimum requirements for a full-fledged madrassah. The school is now conducted as a lower primary maktab (unrecognised and unaided).

(*ii*) No.

(*iii*) Yes.

(*iv*) The institution has been visited by the Inspecting officers of the department.

(*b*) The question does not arise.

(*c*) The question of a grant-in-aid to the institution cannot be considered until the institution is recognised by the department.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state if it is not a fact that during the long period of 20 years, the Madrassah failed to receive the recognition of the department and to receive grants because the institution was organised by non-co-operators in the area about 20 years ago?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not believe so.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state what prevents the Madrassah from being recognised as a lower primary maktab?

Mr. SPEAKER: That is not for Government to say.

Kazi EMDADUL HAQUE: With reference to answer (*a*), will the Hon'ble Minister be pleased to state what prevents Government from recognising this school now as a lower primary maktab?

Mr. SPEAKER: Lower primary schools are recognised by district boards and school boards.

Kazi EMDADUL HAQUE: Not as a lower primary school but as a lower primary maktab.

Mr. SPEAKER: Even that is recognised by district boards, municipalities and school boards. Government have got nothing to do with that.

Kazi EMDADUL HAQUE: Then this institution will neither be recognised by the department nor by the board!

Date for discussion of the Bengal Tenancy (Third Amendment) Bill, 1939.

Mr. SURENDRA NATH BISWAS: Sir, the Bengal Tenancy (Third Amendment) Bill, 1939, has been circulated only to-day and I understand that circular letters also have been issued from your office to members which have been received by us at about 1 or 2 o'clock to-day and some members have not even got them as yet. I submit, Sir, that the notice has been absolutely short, and it has been so short that it would be physically impossible for us——

Mr. SPEAKER: I do admit that. I expected, so far as this Bill is concerned, that some time by yesterday evening we would be getting a copy but unfortunately not only did I not get a copy, but I had to

wait till 8 o'clock in the evening to find out if copies would be available to us, and with the greatest difficulty I could get a typed copy from the other House. After that, I think, you will appreciate that it was not possible for my office to circulate the papers before 12 o'clock mid-night. I expected that as soon as the Bill was finished in the other House, there would be somebody responsible who would immediately take steps to circulate it.

Dr. NALINAKSHA SANYAL: Sir, may I draw your attention to rules 70 and 71 in this connection? These rules have been devised to see that hasty legislation may not be taken recourse to by the Government of the day and the check that has been left in the rules is only with a view to see that the members get an opportunity to——

Mr. SPEAKER: Anyway, let the message be read first. It has not been formally placed before the House yet.

Message from the Bengal Legislative Council.

The Secretary then read the following message:—

"That the Bengal Tenancy (Third Amendment) Bill, 1939, was passed by the Bengal Legislative Council with amendments at its meeting held on the 2nd April, 1940, and that the concurrence of the Assembly may be asked to the amendments made in the Bill by the Council."

The amendments have been shown *in loco* in the printed copy of the Bill laid on the table to-day.

Dr. NALINAKSHA SANYAL: In this connection, may I draw your attention to rule 70 where it is stated that the member in charge of the Bill after giving seven days' notice or, with the consent of the Speaker, at shorter notice, may move that the amendments be taken into consideration?

In the second part of that rule, it is stated that no such motion can be moved unless the amended Bill has been made available for the use of members for not less than seven days before the motion is moved, except where the Speaker, in his discretion, suspends the provision of this sub-rule.

In these two sub-rules the discretion of the Speaker is provided for. But in rule 71 (2) where a member is required to send notice, there is no discretion left to the Speaker at all to reduce the period within which these motions have got to be sent. There it is stated that amendments relevant to the subject-matter of the amendments made by the Council may be moved by any member after giving four

days' notice, but no further amendment shall be moved to the Bill, unless it is consequential upon, or alternative to, an amendment made by the Council.

Here, Sir, the contemplation was that there should be no surprise either on the part of the Government or on the part of the members in general. If in the case of members sending notice under rule 71, we are deprived of taking up any matter at shorter notice than 4 days, it is only fair that the Government also will not be in a position to take us by surprise by simply bringing forward a Bill or a motion with shorter notice and at such a very short notice indeed as less than 24 hours even. Sir, I submit that in the circumstances, you will be pleased not to waive the operation of this rule in this important case and will not create a precedent which might be very dangerous for the future.

Mr. SPEAKER: I do not want to create a precedent. This matter was discussed and the understanding was that some notice would be available to the members in time. Yesterday, I waited till 8-30 p.m. in order that a notice in this connection might go out to the members.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I regret very much that it was not possible for Government to make a copy of the Bill available to the Legislative Assembly Department in time, but naturally, we were depending on the Council Department doing that.

Mr. SPEAKER: If you say that you were depending on the Council Department for this, then I must say that it is an absolutely lame excuse (Cries of "hear! hear!" from the Opposition Benches) because here is a Bill which it is sought to be finished before the session closes and in those circumstances, I think, somebody ought to have been made responsible to see that the papers were made available to the department concerned as soon as possible; otherwise you cannot expect even the Council Department to get the whole thing through within a few hours. Somebody ought to have waited with everything ready so that as soon as the whole thing was finished, the papers might go out immediately.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I make my submission as to why it was not possible for us to make the Bill available in time? The changes that were made were made through non-official amendments and so we were not in possession of those amendments. Naturally, we had to depend on the Council Department, but there was an arrangement with the Council Department that a copy of

the amended Bill should be sent to the Assembly Department as soon as possible. I regret very much the inconvenience caused, and I would request you to relax the rule.

Mr. SPEAKER: I may say that yesterday I waited for these papers from 5 o'clock till 8-30 and the whole office worked till 1 o'clock in order to circulate the notices to members.

Dr. NALINAKSHA SANYAL: Sir, not only that, it is a breach of the rule——

Mr. SPEAKER: No, I do not agree that it is a breach of the rule. Dr. Sanyal was meticulously careful to see the rule but not the substance of the rule of 4 days' notice. If I have to suspend the rule, the intention is that members can give notice at a very short period if necessary. So, there is no difficulty on that score.

Mr. SURENDRA NATH BISWAS: Sir, the amended Bill has also not been supplied.

Mr. SPEAKER: No, I think, every member has got a copy of the Bill. I am sure that there are more copies of the Bill on the table than the number of members.

Dr. NALINAKSHA SANYAL: Would you expect us to go about hunting?

Mr. SPEAKER: It is on the table of each member, and in case there is not any, it will be supplied immediately.

The point is that there are several substantial changes made by the Upper House. I was under the impression that the number of changes are not many, but I myself have looked into it and have found that there are many changes. In that event I do not know what can be done.

The difficulty is, the members have got the copy of these amendments only now. The time for giving notice of amendments is short for the members, and all I can do is that the members can give me notice to-morrow by 1 o'clock.

Mr. JOGESH CHANDRA GUPTA: To-morrow evening will be better.

Mr. SPEAKER: To-morrow we meet at 4-45 and all I say is that if you give me notice even about an hour and a half before, I would try to get it cyclostyled and placed before the members.

Mr. M. SHAMSUDDIN AHMED: Sir, in view of the fact that there have been fundamental changes, I think party meetings will have to be held and in that case by 1 o'clock to-morrow it will be impossible for us to send our notices.

Mr. SPEAKER: Then let it be 4 o'clock. All I say is that though the amendments look very heavy, you can straightaway come to a conclusion one way or the other immediately. There is no difficulty about it. I have very carefully looked into the amendments. All I say is that it will perhaps do if you give all the notices of amendments by 5 o'clock.

Dr. NALINAKSHA SANYAL: Is it an emergent measure, Sir? Otherwise, why should you be so anxious to give the Government this opportunity. Will you give us the corresponding opportunities to take up our Bills?

The Hon'ble Mr. A. K. FAZLUL HUQ: We object to this remark. The Government is not anxious to hurry through the Bill. Let the Opposition have as such time as they like. Let me put the case. I understand, Sir, the Chief Whip was in communication with you and it was decided that this session should come to a close as early as possible. But if my friends opposite want it to be dragged on, the Government will not accept any favour. Government is not going to accept any favour. Let the rules be carried out to the very letter. We do not object.

Dr. NALINAKSHA SANYAL: Rules must be carried out.

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, I also say that. We do not want any favour.

Mr. SPEAKER: Order, order. May I ask the Hon'ble the Chief Minister and Dr. Sanyal not to talk across the table? I want to give all reasonable facilities to all parties. The Hon'ble the Chief Minister will realize and the Opposition also will realize that in case we have to carry on this session 7 days more, it means a heavy expenditure of money and loss of time. I hope good sense will prevail on both sides. I am trying for my part to accommodate the Opposition in every possible way. If it is possible by, say, 4 o'clock or 5 o'clock to-morrow to give notice of all amendments, then I can get them cyclostyled and we can meet at 6-30 p.m. on that day.

Mr. JOGESH CHANDRA GUPTA: It is not a question only of getting the amendments cyclostyled. The substantial amendment

that has been made in the Upper House requires careful consideration by members of the party. It is very difficult to give on the floor of the House a whip on amendments on such important issues. Therefore, it will be necessary, after the amendments are sent, that the parties may meet and then they may decide which amendments they would support and which amendments they would oppose. Government had considered it and the Government party are in a favourable position, because they know their minds as they have brought forward this Bill, and we are not in that position.

Mr. SPEAKER: To cut short the debate, will it be satisfactory if we take the Bill on Friday and fix the whole of to-morrow for notice of amendments?

(Cries of "Monday! Monday!" from the Opposition Benches.)

Mr. Khwaja SHAHABUDDIN: Sir, if the Opposition wants more time and does not mind the expenditure of public money, Government will have no objection.

Dr. NALINAKSHA SANYAL: Will the honourable Whip of the Government party give up his salary if he is so anxious to save public money? I submit that we are not going to have any relaxation of the rules on such grounds. The rules are for the protection of the rights of the Opposition in particular and after the challenge of the Chief Minister we do stand strictly on the rules of the Assembly.

The Hon'ble Mr. A. K. FAZLUL HUQ: Let the rules be strictly followed.

Mr. M. SHAMSUDDIN AHMED: Sir, there will be saving of time if we consider the amendments in our party meetings.

Mr. SPEAKER: What will be the convenient time?

Mr. M. SHAMSUDDIN AHMED: Monday, Sir, so that in two days' time we may finish considering the amendments.

Mr. SPEAKER: I am still making an appeal to both sides. If you can make it Friday, it will be better. I know people's capacity, and I know what can be done. In view of that, I hope that the suggestion will be considered. Let us have it on Friday.

Mr. JOGESH CHANDRA GUPTA: Without making a precedent, we are prepared to consider, but after the heat that has been generated, it is very difficult for me to tell anything personally.

Mr. SPEAKER: I am very sorry that in this matter there has not been an effort to come to a mutual understanding. It cannot be said that this is a Bill which is of such a nature that within half an hour's notice a party can come to a decision. It is a very heavy Bill, and in view of the fact that it is only to-day that the members have got notice, it is quite legitimate that people will think that the time is very, very short indeed. If I could send out a copy of the Bill yesterday night, I could have considered this matter. But in any case, it is no use talking over this matter. What I feel is that if it is possible to take it up on Friday, it would be very desirable. After all, the Whips have come to an agreement and let us stick to it.

Dr. NALINAKSHA SANYAL: We did not come to any agreement, Sir.

Mr. SPEAKER: I am not talking to you; I am talking to Mr. J. C. Gupta.

Mr. M. SHAMSUDDIN AHMED: What is the difficulty to fix it up on Monday? Government won't object.

Mr. SPEAKER: There is no objection. Plainly speaking, if it is taken up on Monday, there is no difficulty, but the only thing is, it will mean an expenditure of about at least Rs. 15,000.

Mr. M. SHAMSUDDIN AHMED: Responsibility for that does not lie with us. It is with the Government.

Dr. NALINAKSHA SANYAL: Government should know their responsibility. They have treated us very shabbily in the case of Motor Vehicles Rules. We are not going to put up with this kind of treatment on every occasion. We have already saved three extra sittings by sitting for three nights.

Mr. SPEAKER: In view of this uncertain attitude, I think it is my duty to take the responsibility on myself and I have no hesitation in doing that. In view of the fact that we have already come to an arrangement after discussion, it will be taken up day after to-morrow provided notice is issued by to-morrow evening.

Mr. M. SHAMSUDDIN AHMED: With whom the arrangement was made?

Mr. SPEAKER: It was discussed in the House and that was the arrangement that was agreed to.

(Cries of "No, Sir! No, Sir!" from the Opposition Benches.)

Mr. SPEAKER: If that is so, I am quite prepared to waive the usual notice.

Dr. NALINAKSHA SANYAL: If Government wants it, why should we not?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government do not want it. Government are not afraid. They have a majority of votes.

Mr. RASIK LAL BISWAS: On a point of information, Sir. আমরা অনেক দূর আছি। আমাদের আসন থেকে আমরা কিছু বুঝতে পারছিনে দয়া কোরে আমাদের বোলে দেবেন?

Mr. SPEAKER: No decision has yet been arrived at.

Rai HARENDRA NATH CHAUDHURI: On the previous day, after I finished my speech, there was an adjournment motion. That was the position on the 16th February. But after Government——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, before we proceed on to non-official business, may I suggest a compromise? If Monday will satisfy my friends opposite, I have no objection.

Mr. M. SHAMSUDDIN AHMED: Sir, what the Hon'ble the Revenue Minister said just now will satisfy us.

(After a pause.)

Sir, what has happened to the Hon'ble the Revenue Minister? (Laughter.) He does not say anything.

Mr SPEAKER: I would appeal to the House that if it is possible, let us finish it on Friday evening.

Rai HARENDRA NATH CHAUDHURI: Let the proposal come from Government.

Dr. NALINAKSHA SANYAL: Why you are going to abrogate the rules, Sir, I cannot quite understand, when the Chief Minister himself does not want it?

Mr. SPEAKER: It is entirely my concern, and as such it is a matter for my consideration and nobody else's.

Dr. NALINAKSHA SANYAL: It is entirely my concern, Sir, to see to the rules being followed.

Mr. SPEAKER: My decision in this case is entirely my concern as to whether I shall abrogate the rules or not.

Mr. JOGESH CHANDRA GUPTA: Sir, the Hon'ble the Home Minister having applied the gagging under the Defence of India Rules to the Revenue Minister, I think we can proceed with our business now and then we shall see.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I think, those rules are for gagging the honourable member's supporters. (Laughter.)

Mr. SPEAKER: What I propose to do in the matter is to consult Mr. Gupta, Mr. Shamsuddin Ahmed and the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: Sir, it is the right of every member——

Mr. SPEAKER: Nobody has any right to say anything when I am on my legs. And if you take up this attitude persistently, I know what step is to be taken.

Mr. JOGESH CHANDRA GUPTA: He has absolutely no right to speak.

Mr. SPEAKER: Under section 16 of the Bengal Legislative Assembly Procedure Rules I hold that Dr. Sanyal's conduct is grossly disorderly, and I ask him to withdraw from the House.

NON-OFFICIAL MEMBERS' BILLS.

The Bengal Municipal (Amendment) Bill, 1937.

Rai HARENDRA NATH CHAUDHURI: Sir, I have got a point of order in respect of a motion. May I raise it now?

Mr. SPEAKER: Yes.

Rai HARENDRA NATH CHAUDHURI: You will please note that there is a motion for recirculation of my Bill. What I beg to submit is that the motion for recirculation is highly improper and inadmissible at this stage. I would invite your attention to rule 52.

If you please direct your attention to sub-rule (2) of rule 52, you will find that at this stage no amendment may be moved except that provided or expressly laid down in the sub-rule, viz.—"if the member in charge of the Bill moves that the Bill be referred to a select committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion." The word in the rule is "circulated" and not "recirculated."

Now, Sir, I beg to submit that this rule has——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I can assure my honourable friend that I am not going to move any amendment. If he presses his Bill, we shall vote him down.

Rai HARENDRA NATH CHAUDHURI: I am not going to be cowed down by the Hon'ble Minister's threats. I know he has no reason behind him, he has only got his supporters. I challenge him to do his worst.

Mr. SPEAKER: Sir Bijoy, I did not expect such conduct from you.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am extremely sorry, Sir.

Rai HARENDRA NATH CHAUDHURI: Sir, the submission I am going to make is this——

Dr. SANAULLAH: On a point of order, Sir. Under rule 20(3)(c) a Bill originating in the Council which has been sent to the Assembly has relative precedence over other Bills.

Mr. SPEAKER: The arrangement of the business is determined by ballot, and after the balloting is finished a Bill has to take its chance.

Rai HARENDRA NATH CHAUDHURI: On the 16th February I spoke in support of my motion for referring my Bill to the proposed select committee. Sir, a motion for recirculation was tabled on behalf of the Hon'ble Nawab Bahadur of Dacca, on that date. But it has now been given out by Sir Bijoy Prasad Singh Roy that he is not going to move the motion for recirculation. Of course, he is welcome to oppose my motion if he likes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I rise to oppose the motion which has been moved by Rai Harendra Nath Chaudhuri on the following grounds. Sir, Rai Harendra Nath Chaudhuri's

main arguments were that under section 18 Government were committed to give the same facilities to people not directly connected with industry or labour if additional seats were provided in a particular municipality. Now, I would in this connection draw the attention of the honourable member and of the House to section 18 of the Act. Section 18 of the Act provides that Government in the special circumstances of a particular municipality which owes its existence or its prominence to a particular industry would be entitled to give adequate representation to that industry either through nomination or by additional elected seats. That was the object of section 18 and in sub-clause (*b*) of clause (*1*) of that section it was provided that the inhabitants who are not directly concerned with such industry or industries should also be given representation at the discretion of Government by formation of electoral constituencies for such inhabitants. My friend's proposal amounts to this, that wherever Government would provide additional seats for the representation of a special industry or labour, they should also provide additional seats or additional constituencies for people who are not directly connected with the industry or labour. That is his proposal in the Bill. I venture to think, Sir, that there is absolutely no justification for such a proposal and my grounds are these.

First of all, in view of the fact that Government in the Act of 1932 reduced the franchise almost to a minimum and did away with plural voting, there is no apprehension of people not connected with industry or labour not being represented on the board of the municipality. Moreover, Government can appoint their representatives or can allow the people who are not connected with industry or labour to be represented by delimiting special constituencies, but that is not compulsory. If they find that there is any apprehension of the people not connected with industry or labour going unrepresented, they can always delimit special constituencies for them, but not otherwise. But my friend now wants to suggest that it should be always compulsory and the two things must be going simultaneously. Sir, this is his proposal. I feel, Sir, that there is no justification for the apprehension and moreover, if my honourable friend's proposal is accepted, it will neutralise the main principle of section 18, namely, special representation to industry or labour on account of which the municipalities concerned have come into prominence. Now, take for instance the municipality of Bhatpara or the municipality of Kamarhati. These municipalities are mainly mill municipalities. The prominence of these municipalities, the financial prosperity of these municipalities, are mainly due to the existence of industries, and it is only meet and proper that these industries or these interests should get adequate representation on the municipalities. My honourable friend's proposal would amount to this, that, instead of getting additional representation,

the additional representation that is provided for in sub-section (2) of section 7 would be neutralised and both the special interests as well as the ordinary inhabitants not connected with industries are to be given equal chances. Sir, that is really abrogating the principle on which section 18 is based. So, with these few words I oppose the motion.

Rai HARENDRA NATH CHAUDHURI: Sir, it is unfortunate that there are some people in this world who can easily forget their old selves, and I am very sorry to find that my honourable friend Sir Bijoy Prasad Singh Roy is one of them. He was the sponsor of the Municipal Bill of 1932—that was the Bill which was enacted into the Bengal Municipal Act of that year. In moving clause 17 of that Bill, which was the section 18 of the Act of 1932 and not section 18 as it appears in the Act as amended by the Act of 1936, Sir Bijoy Prasad Singh Roy—not of course as a member of the present Coalition Cabinet but as a member of a Cabinet of a different hue and complexion—delivered himself thus: "Clause 17"—that is the original section 18—"divides itself into three parts. In the first it is proposed that Government should have power to form special constituencies for industries and labour and allow the representation of industry and labour through nomination. Then, there is another clause—clause 2—which provides for the representation of people unconnected either with industry or labour." Then he went on, "In municipalities like Bhatpara and Kanchrapara where there are original inhabitants of these places unconnected with industry or labour it is their standing grievance that they go unrepresented in the municipalities of their own places, and it is for the removal of this grievance that this clause has been put in."

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I will ask my honourable friend to continue for a few lines more. He has not put the whole case before the House.

Rai HARENDRA NATH CHAUDHURI: All right, I stop here. You please read out what you like.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Since the honourable member does not wish to read further, may I do so, Sir, with your permission?

Mr. SPEAKER: If he yields, then only you may read out.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, my friend wants to make out that I admitted in that Bill the necessity for special representation——

Mr. ATUL KRISHNA GHOSE: Sir, the Hon'ble Minister can only read out the extract, but he cannot make a speech.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: All right, Sir, I shall only read out. What I then said was this: "Then there is another clause which provides for the representation of people unconnected either with industry or labour. In municipalities like Bhatpara and Kanchrapara where there were original inhabitants of these places unconnected with industry or labour it is their standing grievance that they go unrepresented in the municipalities of their own places, and it is for the removal of such grievance that this clause has been put in."

Mr. ATUL KRISHNA GHOSE: Rai Harendra Nath Chaudhuri has already read out this portion.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Now follows what I wanted him to read out: "With the lowering of the franchise and the removal of plural voting, industries will find it extremely difficult to secure representation on municipalities, and I would ask the House to bear in mind that municipalities like Bhatpara and Kanchrapara owe their prosperity entirely to the jute mills and other industries. So it is only meet and proper that they should be given sufficient voice in the administration of these places. Government is morally bound to provide sufficient safeguards for them, and cannot leave things merely to chance."

Rai HARENDRA NATH CHAUDHURI: Yes, yes, that is all, that is all.

Mr. SPEAKER: I find that both sides are quite happy over this!

Rai HARENDRA NATH CHAUDHURI: Is that all? That portion simply explains why additional nomination was provided for in section 18; that had nothing to do with sub-clause (*ii*) of clause (*1*) or with clause (*2*) which stood apart.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No.

Rai HARENDRA NATH CHAUDHURI: You cannot misinterpret things on record. That portion only explained why in industrial municipalities additional nomination to the extent of 50 per cent. should be given and nothing more.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Section 18 contemplates both nomination and election.

Rai HARENDRA NATH CHAUDHURI: Yes, nomination for industries and labour and election for non-industrial section of the people. Read the original section.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: You read it out.

Rai HARENDRA NATH CHAUDHURI: The original section was—I am reading out the relevant portions—

"18. (*1*) Notwithstanding anything contained in section 16 the Local Government may.....

(*i*) increase the number of appointed commissioners beyond the proportion mentioned in that section in order to secure the proper representation of such industry or industries and the labour employed therein, or if it appears expedient..... constitute industrial constituencies for the representation of .....industries and labour:

Provided that the number of commissioners to be appointed by the Local Government shall in no case exceed one half of the total number of the commissioners of the municipality."

Then, Sir, came in sub-clause (*ii*) relating to constituencies for non-industrial section of the people—

"(*ii*) provide for the representation of the inhabitants who are not directly connected with such industry or industries by the formation of electoral constituencies for such inhabitants."

That portion which Sir Bijoy referred to in his old speech explained why additional nomination to the extent of 50 per cent. should be given.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Where do you get nomination?

Rai HARENDRA NATH CHAUDHURI: That is in section 18(*1*)(*i*). But there was no such thing as "or" intervening between the provision for the representation of industry and labour and that for the representation of the non-industrial people. "Or" was introduced by the amending Act. The original section 18 provided that in the cases of industrial municipalities where Government would increase the representation of industry and labour or the number of nominated commissioners to 50 per cent., they would in such cases constitute at the same time electoral constituencies for the original inhabitants of the

place, and that was explained by Sir Bijoy Prasad himself in these words: "In the first clause it is proposed that Government should have power to form *special* constituencies for industries and labour and allow the representation of industries and labour and through nomination." There was in contemplation not only the representation of industries and labour through nomination, but there was the provision in the original Act to constitute *special* constituencies for industries and labour. It meant necessarily that the general constituencies in that case would have been left only to or constituted only by the original inhabitants of the locality, *i.e.*, the people unconnected with industry and labour. Sir, that original scheme was interfered with and was altered by the Amending Act of 1936 and constitution of separate constituencies for industries and labour was made a condition precedent to the delimitation of constituencies for original inhabitants of the areas after the amendment of 1936. That was not contemplated by the original Act of 1932 which meant to remedy the long-standing grievance of the original inhabitants, as Sir Bijoy himself announced by the formation of exclusive electoral constituencies for them. In the original Act the only condition precedent to the constitution of separate constituencies for the general inhabitants of an industrial area was enlarged representation of industry and labour whether by nomination or otherwise. But now, taking advantage of the amended sub-section (*I*), which gives the Government option to constitute or not to constitute separate constituencies for industrial as well as non-industrial people, Government are giving industries and labour enlarged representation, by way of additional nominated seats, to the extent of 50 per cent. of the strength of a municipal board, and are yet refusing to constitute separate electoral constituencies for the original inhabitants of the locality. It is, therefore, Sir, that the old grievance to which Sir Bijoy Prasad Singh Roy referred remains unremedied and while Sir Bijoy Prasad Singh Roy has not been able to make good his original promise to the non-industrial inhabitants of such areas, I am quite astounded to find therefore that he has turned his coat so soon. Not only that. Under the section as it stands amended now, even courts are unable to give relief. The rate-payers of the Garulia Municipality instituted a case that there should have been constituencies delimited for the original inhabitants of the place in view of the provision made in section 18. That case went up to the High Court. The learned Judge who heard the appeal felt that there was justification for constituting separate constituencies for the original inhabitants of the place, yet he could not uphold their contention in view of the faulty framing of section 18. With your permission I would like to read certain portions from the judgment of the High Court: "It is a fundamental rule of construction" said Justice Mitter, "that where the meaning of a statute is plain and clear, Courts have nothing to do with its policy or impolicy, its justice or injustice, its being framed according to its own views of

right or the contrary.....If the Legislature intended that in municipalities notified under section 18, special non-industrial constituencies must be in all cases set up, at least in respect to a part thereof, it could have easily expressed the said intention by enacting the provisions of clause (*ii*) as a proviso to clause (*i*) or could have added the words 'and shall' before the word 'provide' in clause (*ii*)."

I have drafted the Bill on the lines indicated in the judgment of Mr. Justice Mitter. I have framed the Bill in pursuance of the second alternative suggestion thrown out by the learned Judge. The reasonableness of my proposition is apparent, viz., that when extra representation is given to industries and labour by way of nomination to the extent of 50 per cent. of the number of members of a municipal board, then separate constituencies should also be constituted to provide for adequate representation of the original inhabitants of the place. The reasonableness of the proposition has been admitted and my Bill has been approved by most of the municipalities and persons that have taken care to express their opinions in respect of this Bill. If you refer to the collection of opinions, you will find that altogether 82 opinions have been collected; and of the 44 municipalities that have expressed their opinions, as many as 39 have expressed themselves in favour of my Bill. Not only that; of the 12 bodies, other than municipalities, that have expressed their opinions only two have disapproved of my Bill while 10 have supported the Bill. Of 26 officials, District Magistrates and Commissioners of Divisions, that have expressed their opinions, 12 have supported my Bill and one more has given his qualified approval. Therefore, Sir, I stand here with the fullest satisfaction that my Bill has been overwhelmingly supported by public opinion outside this party-ridden Chamber. If Sir Bijoy Prasad Singh Roy would persist in his irrational endeavour to oppose the Bill, he is welcome to do that. He has an unholy combination of parties behind him and he can have the Bill rejected. But then he will not be in a position to claim that his is a popular Government after having ignored the overwhelming expression of popular opinion in favour of this Bill.

Sir, as regards the date, I suggest that it should be 30th June, 1940, instead of 7th March 1940.

Mr. SPEAKER: Yes, I accept this short-notice amendment and exclude the name of Khan Bahadur Maulvi Jalaluddin Ahmad whose consent has not been received.

The amended motion of Rai Harendra Nath Chaudhuri that the Bengal Municipal (Amendment) Bill, 1937, be referred to a select committee consisting of—

(1) The Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca,

(2) Mr. K. Nooruddin,

(3) Mr. Anukul Chandra Das,

(4) Mr. Syed Jalaluddin Hashemy,

(5) Mr. Shyama Prasad Barman,

(6) Dr. Nalinaksha Sanyal,

(7) Mr. Niharendu Dutta Mazumdar,

(8) Mr. G. Morgan,

(9) Maharaja Sashi Kanta Acharyya Choudhury of Muktagacha, Mymensingh, and

(10) the mover,

with instructions to submit their report by the 30th June, 1940, and that the quorum of the select committee be fixed at five, was then put and a division taken with the following result:—

AYES—63.

Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ganguly, Mr. Pratul Chandra.
Ghose, Mr. Atul Krishna.
Ginsuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lal.
Kumar, Mr. Atul Chandra.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Masiruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Ray Choudhury, Mr. Birendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Maniudra Bhusan.
Sur, Mr. Narendra Kumar.
Wahur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—114.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Kafim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdur Rahman, Khan Bahadur A. F. dil.
Abdur Rahman Siddiqi, Mr.

Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abdus Shakoor, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain, Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hosain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Affazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badrudduja, Mr. Syed.
Basu, Mr. Jatindra Nath.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
French, Mr. F. H.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Sanku Behari.
Mandal, Mr. Sirat Chandra.
Mandal, Mr. Jagat Chandra.
Marindin, Mr. F. J.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman, Khan, Mr.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Walker, Mr. J. R.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

The Ayes being 63 and the Noes 114, the motion was lost.

Mr. SPEAKER: I must now adjourn the House for prayer.

(The House was then adjourned for 20 minutes.)

(*After adjournment.*)

Mr. SPEAKER: I might say that it was agreed to by all who met in my chamber that the Bill will be taken up on Monday at 4-45 p.m.

and will be finished that day. That means to say that we will have no sitting to-morrow, the day after and on Saturday. All amendments must come to our office to-morrow by, say, 5 p.m.

The Bengal Non-Agricultural Tenancy Bill, 1939.

Maulvi ABDUL HAKIM: Sir, I beg to move that the Bengal Non-Agricultural Tenancy Bill, 1939, be taken into consideration.

মাননীয় সভাপতি সাহেব—বাংলাদেশের অকৃষিভূমির বা চান্দিনা প্রজাদের কোন স্থায়ী স্বত্ব নাই একথা সকলেই অবগত আছেন। তাহারা জমিদারের অনুগ্রহের উপর নির্ভর করিয়া বাস করে। জমিদাররা যে কোন সময় তাহাদের উচ্ছেদ করিয়া দিতে পারেন। এই ভয়ে তাহারা সর্ব্বদাই সন্ত্রস্ত থাকে। অনেকের রাত্রে ঘুম হয় না। গ্রামে যাহারা বাস করে তাহাদের মধ্যে অধিকাংশই চাষী। তাহাদের মধ্যে প্রায় সকলেই জমির উপর স্থায়ী স্বত্ব ভোগ করে। কিন্তু যাহারা সহরে বাজারে বাস করে সেই সব প্রজাদের সেরূপ কোন স্বত্ব নাই। চাষী প্রজাদের জমির উপর যেরূপ স্বত্ব আছে সহরবাসী প্রজাদেরও জমির উপর সেরূপ স্বত্ব থাকা উচিৎ। সেই উদ্দেশ্যে আমি এই বিল আনয়ন করিয়াছি। ইতিমধ্যে ঢাকা, রংপুর, ময়মনসিংহ প্রভৃতি অঞ্চলে জমিদারগণ চান্দিনা প্রজাদের উচ্ছেদের জন্য যে ভূরি ভূরি নোটিশ দিয়াছিল তাহাতে তাহাদের মধ্যে বিক্ষোভের এবং অসন্তোষের সঞ্চার হইয়াছিল। জমিদারগণ যাহাতে চান্দিনা প্রজাদের উচ্ছেদ সাধন করিতে না পারে এবং যাহাতে তাহাদের স্বত্বের সুব্যবস্থা হয় সেই জন্য আমি এই বিলটি আনয়ন করিয়াছি। ইতিমধ্যে গভর্ণমেণ্টের পক্ষে Revenue Minister চান্দিনা প্রজাদের উচ্ছেদ বারণ করিবার জন্য একটি অস্থায়ী Bill আনয়ন করিয়াছেন এবং উহা উভয় House কর্ত্তৃক গৃহীত হইয়াছে। আপাততঃ এই Bill দুই বৎসরের জন্য কার্য্যকরী হইবে। তাহাতে বলা হইয়াছে যাহাতে চান্দিনা প্রজাগণ স্থায়ী স্বত্বে স্বত্ববান হইতে পারে সেই উদ্দেশ্যে গভর্ণমেণ্টের পক্ষ হইতে আর একটি Bill আনয়ন করা হইবে। এইরূপ ব্যবস্থা করা হইলে গভর্ণমেণ্ট যে চান্দিনা প্রজাদের প্রকৃত উপকার করিবেন তাহাতে কোন সন্দেহ নাই। যদি ঐ রকম Bill গভর্ণমেণ্ট আনয়ন করেন তাহা হইলে আমার Non-official Billএর প্রয়োজন হয় না। সে যাহা হউক যখন স্থায়ী Bill Government আনয়ন করেন নাই সেইজন্য আমি এই Bill Houseএর considerationএর জন্য দিতেছি। দেখা যায় আমার প্রস্তাবে গভর্ণমেণ্ট যে সংশোধনী প্রস্তাব আনয়ন করিয়াছেন তাহাতে জনমত সংগ্রহের জন্য বিলটি দীর্ঘকালের জন্য ফেলিয়া রাখা হইবে। আমার মতে এই বিলটি এত দীর্ঘকালের জন্য ফেলিয়া রাখা উচিত নয়। ইতিমধ্যে চান্দিনা প্রজাদের উপর বহু অত্যাচার হইয়াছে এবং হইতেছে। এসম্বন্ধে গভর্ণমেণ্ট একটি Enquiry Committee বসাইয়াছিলেন। আমি শুনিয়াছি যে Enquiry Committee's Report গভর্ণমেণ্টের নিকট পেশ হইয়াছে। তাহা হইলে গভর্ণমেণ্টের পক্ষেই এসম্বন্ধে একটি স্থায়ী Bill আনা

উচিৎ এবং আমার বিলটী জনমতের জন্য ফেলিয়া না রাখিলেও চলে। তবে গভর্ণমেণ্ট যদি মনে করেন যে এই বিল সম্বন্ধে জনমত আহ্বান করা একান্তই উচিৎ তাহা হইলে আমি মাননীয় Sir Bijoy Prosadকে অনুরোধ করি যে অগত্যা ৩০শে জুন তারিখ পর্য্যন্ত এই বিলটী তিনি জনমত সংগ্রহের জন্য রাখিয়া দিবার ব্যবস্থা করুন।

খান বাহাদুর Shah Abdur Rauf সাহেব এই বিল সম্বন্ধে আর একটি amendment আনয়ন করিয়াছেন। তিনি প্রস্তাব করিয়াছেন যে জনমত সংগ্রহের জন্য বর্ত্তমান বৎসরের শেষ পর্য্যন্ত অর্থাৎ ৩০শে ডিসেম্বর তারিখ পর্য্যন্ত বিলটী ফেলিয়া রাখা হউক। তিনি নিজে একজন রায়ত হইয়া কি প্রকারে যে এই বিলটিকে এতকাল পিছাইয়া দিবার প্রস্তাব করিতে পারেন তাহা আমি বুঝিতে পারি না। হয়ত জমিদারের পক্ষ হইতে কোনরূপ প্ররোচনা পাইয়া তিনি এইরূপ প্রস্তাব আনয়ন করিয়াছেন। যিনি নিজে প্রজা এবং প্রজাসাধারণের ভোটে নির্ব্বাচিত হইয়া আসিয়াছেন তাঁহার পক্ষে এরূপ প্রস্তাব আনয়ন করা উচিত হয় নাই। অতএব আমি অনুরোধ করিতেছি যে আমার প্রস্তাব (motion) গৃহীত হউক। অবশ্য যদি Sir Bijoy Prosad অগত্যা এই বিলটি জনমত সংগ্রহের জন্য আগামী ৩০শে জুন পর্য্যন্ত ফেলিয়া রাখিতে ইচ্ছা করেন তাহাতে আমি সম্মত আছি।

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1940.

Sir, if 30th June will satisfy my friend, I have no objection to change the date to 30th June with your permission and with the consent of the House.

(No objection was raised.)

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy that the Bengal Non-Agricultural Tenancy Bill, 1939, be circulated for the purpose of eliciting opinion thereon by the 30th of June, 1940, was then put and agreed to.

The Bengal Wakf (Amendment) Bill, 1937.

Khan Bahadur MOHAMMED ALI: Sir, I beg to move under the proviso to sub-rule (2) of rule 19 of the Bengal Legislative Assembly Procedure Rules that the Bengal Wakf (Amendment) Bill, 1937, be continued.

The motion was put and agreed to.

Khan Bahadur MOHAMMED ALI: Sir, I beg further to move that the said Bill be circulated for the purpose of eliciting opinion thereon by the 30th June, 1940.

Sir, as a member of the Wakf Board and also as *mutwalli* of three *wakfs*, I feel that there are various difficulties in the administration of the Bengal Wakf Act. The amendments that I have proposed are moved with the consent of the Commissioner of Wakfs, and if they are accepted, they will facilitate the work of the Bengal Board of Wakfs. It is a very important amending Bill and the opinion of the public should be ascertained on it. Therefore, I suggest that the motion for circulation should be accepted.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I do not oppose this motion for eliciting public opinion by the 30th June, 1940.

The motion of Khan Bahadur Mohammed Ali that the Bengal Wakf (Amendment) Bill, 1937, be circulated for the purpose of eliciting opinion thereon by the 30th June, 1940, was then put and agreed to.

The Bengal Marriage Dowry Prevention Bill, 1939.

Maulvi AFTAB HOSSAIN JOARDAR: Sir, I beg to move that the Bengal Marriage Dowry Prevention Bill, 1939, be taken into consideration.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th June, 1940.

The motion of the Hon'ble Nawab Musharruff Hossain, Khan Bahadur, was then put and agreed to.

The Bengal Village Self-Government (Amendment) Bill, 1939.

Maulvi MUHAMMAD ISRAIL: Sir, I beg to move that the Bengal Village Self-Government (Amendment) Bill, 1939, be referred to a Select Committee consisting of—

(1) The Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca,
(2) Mr. Nausher Ali,
(3) Maulvi Ahmed Hossain,
(4) Maulvi Abdul Latif Biswas,
(5) Maulvi Abdul Hamid Shah,
(6) Maulvi Idris Ahmed Mia,
(7) Maulvi Hafizuddin Chowdhury,
(8) Khan Sahib Hatemali Khan,
(9) Mr. Abdul Wahab Khan,

(10) Mr. Abul Hossain Ahmed,

(11) Khan Sahib Hamiduddin Ahmed,

(12) Mr. Monmohon Das,

(13) Mr. Charu Chandra Roy,

(14) Mr. Atul Chandra Kumar,

(15) Maulvi Md. Ibrahim,

(16) Mr. Yusuf Ali Choudhury, and

(17) the mover.

with instruction to submit their report by the 30th June, 1940, and that the quorum of the Select Committee be fixed at five.

Sir, so far as this Bill is concerned, I have given notice of it, because, so far as the present Village Self-Government Act is concerned, it appears to me that there are some anomalies.

From the Statement of Objects and Reasons, it will appear that the first thing that I have pressed is election by secret balloting. Under the present system, at a union board election the voters as well as the members who seek election—they all sit in the union board election place and the voters have to vote openly and say in the presence of the members for whom they are casting their votes. This position creates great difficulty, so far as casting of votes is concerned, because on account of the influence of the members the voters cannot always exercise their votes according to their own wishes. This is a thing, Sir, for which there have been repeated demands from all sides of this House. So, to avoid undue influence and coercion in a union board election, my first point is that secret balloting should be introduced.

My second point is this: Under section 20 of the Bengal Village Self-Government Act it has been provided that, so far as the pay and salary of chaukidars and dafadars is concerned, this is determined not by the union board though they pay for their salary but by the District Magistrate who makes the appointments and who has also power to dismiss them. So far as their number is concerned, this also is determined by the District Magistrate and not by the union board. Now, this has created an anomalous position. The union board makes the entire payment, but they have absolutely no say in the matter of appointments or in the matter of dismissal or in the matter as to how many chaukidars and dafadars will be sufficient, having regard to their financial resources. A peculiar situation arose in the district of Mymensingh. Under section 21 of the Village Self-Government Act, there is a provision that the District Magistrate after taking the views of the union board may raise the salary of chaukidars and dafadars, and without letting the union board know anything in the matter the

District Magistrate by one stroke of the pen increased the salary of chaukidars from Rs. 6 to Rs. 8 a month and that of the dafadars from Rs. 8 to Rs. 10. By this change, the expense of the union board went up by Rs. 500 to Rs. 600. That change was made probably in the month of February or so, and the union board there made their assessment in the month of February or in the month of March. Now, the board were in very great difficulty. They had to raise their assessment from Rs. 1,200 to Rs. 1,700 and in some cases from Rs. 2,000 to Rs. 2,700, but they were in a very awkward position, because they could not meet the additional expenditure by ordinary assessment, nor were they able to increase the assessment in such an unusual manner. Not only that. Supposing that a union board is satisfied that they can go on with 10 chaukidars and 1 dafadar but the District Magistrate insists that they are bound to keep 15 chaukidars and 3 dafadars, what will happen? The District Magistrate's wishes will have to be given effect to, though the union board may represent that they can go on with 10 chaukidars and 1 dafadar. Moreover, the funds at their disposal have to meet the demand made by the District Magistrate, because the statutory power lies with the District Magistrate and the union board is absolutely helpless in the matter. If their words are not heeded, they cannot press further. So, it is quite reasonable, it is quite fair, and it is quite equitable that union boards should be given a free hand in making their own appointments and also in dismissing their own officers.

Now, there is another point, Sir. In the matter of making appointments, though the statute has vested this power on District Magistrates, practically District Magistrates know nothing about it. What is actually done is that the union board makes a nomination, then it goes for approval to the Subdivisional Officer through the officer in charge of the thana. The prospective candidate has to pay something to the officer in charge; then the matter goes to the appointing clerk of the Subdivisional Officer and there also he has to make some other payment and then after it has been approved by the Subdivisional Officer it goes to the District Magistrate. A poor chaukidar who gets only Rs. 6 a month has to spend in this way not less than Rs. 30 or Rs. 40 and in some cases even Rs. 50 and even then he is not sure of his appointment. Somebody who makes better payment may get the appointment. From this point of view, this system should be given a go-bye as early as possible.

So far as dismissal is concerned, because the union board has no power in the matter, the dafadars and chaukidars are more obedient to the officer in charge than to the union board president, because they know that even if the union board president makes a recommendation

that such and such chaukidars and dafadars should be dismissed, they may not ultimately be dismissed. They know their position that they cannot be dismissed by the union board president though they are paid by the union board and so they do not care so much for the president as they do for the officer in charge who has got a hand in the matter.

There is another point, Sir. So far as the number of chaukidars and dafadars is concerned, I think everybody will agree that when I make the payment I should be allowed to decide and say: "This is my budget; this is my financial position, and I can manage my own affairs with so many chaukidars and dafadars" and that no outside influence should come and affect my own decision. There is another point. So far as the appointment of the union board clerks is concerned, that has to be approved by the local board though the local board does not know anything about these people, nor has it got any opportunity of knowing about the merits or demerits of these union board clerks. The appointments made by the union board have to be approved either by the local board where there is one or by the district board. And their appointment is kept pending till it is finally approved either by the local board or by the district board. I think this is unnecessary and undesirable. There is also another point. So far as the punishment of the dafadars and chaukidars is concerned, if the punishment exceeds more than one month or so, then it cannot be dealt with by the local board, but must be dealt with by the District Magistrate. So far as the decision of the union board benches is concerned, an appeal lies to the Subdivisional Magistrate, but so far as the union boards are concerned, an appeal does not lie to the Subdivisional Magistrate, but to the District Judge. The poor litigant will have to go to the District Judge's Court for altering or revising the decision of the union board. My proposal is this that, as it has been already provided that an appeal should lie to the Subdivisional Magistrate, from the decision of this bench, so a similar appeal should lie to the Subdivisional Munsif from the decision of the union board, so that the ordinary public may go there and try to test the validity of the decision of the union board.

Then again, Sir, so far as section 37(*a*) is concerned, it provides that with regard to salaries and equipment the local government may contribute, that is, may make a contribution, if any; but, Sir, though that section is here, yet up till now there has been no contribution yet made to the union board and that section has been rendered absolutely nugatory and has become a dead letter. I think Government should not keep it in that way. I have made it mandatory that Government must make some contribution whatever may be the amount. Then again, Sir, there is the proviso to the present section 45 of the Act which says that the union boards may make assessment to increase their assessment under section 37(*b*) and unless they make an increased

assessment under this section they would not be entitled to a grant from the district board. The Circle Officer insists very much on the union board making an increased assessment under section 37(*b*), otherwise these boards would be debarred from getting any contribution from the district boards, but the House will be surprised to hear that the district board's contribution is negligible. The union board's increased assessment is much more higher than that. They bear no ratio or proportion to the contribution that is being made by the district board. If the union board increase their assessment by Rs. 300, it may get Rs. 25; if it be Rs. 100 or Rs. 50 then also it will be Rs. 25. So my suggestion will be that this should be in proportion to the increase under section 37(*b*). So I would request the Hon'ble Minister that he should accept my amendment. Government may say that they have appointed a special officer to go into all these various questions. So far as this is concerned, my submission is this that from the questionnaire that has been isued, it does not appear that the special officer's attention has been drawn to all the points raised in my Bill. So I think the special officer should give more attention to this question.

Khan Bahadur ANWARUL AZIM: I thank you, Sir, for giving me an opportunity to take an extempore part in the discussion of this Bill proposed by my friend Maulvi Md. Israil. It seems, however, that if we have to consider at this stage all the aspects of this Bill, it would be practically to hoodwink the issues which are being so very seriously considered by the Chaukidari Committee which was appointed by the Government a couple of years ago. Sir, as one who has been on this Committee at its later stages, I feel that it will not be right, and if I may put it a little more mildy, it would be rather the height of injustice on the part of this House if they passed any decision at this stage on the Bill moved by my friend. What my friend has proposed in this Bill is that there should be some system in regard to the appointment of chaukidars, their pay and their equipments and things of that nature, and that if there is anything in their status involving expenditure who is to pay for them, etc. These are exactly the matters which are now being enquired into by the Chaukidari Committee. That committee has reached the final stage of its deliberations, and I think it will be just and proper that this non-official measure should wait till their report is out. I am certain that the Government member who will reply to the motion presently will reply on these lines, and I do not think it necessary for me to speak further beyond pointing out that as these identical matters have been entrusted to a committee appointed by the Government we need not anticipate their decisions.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bengal Village Self-Government (Amendment) Bill, 1939, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

Sir, the honourable member in moving his motion has clearly explained the provisions of his Bill and there is no doubt that the Bill incorporates very far-reaching changes, such as the introduction of the ballot system in union board elections, doing away with nomination, the change of authority in regard to the appointment and dismissal of daffadars and chaukidars and there are several other such proposals in his Bill which require very careful consideration. Government have appointed a special officer—as the honourable member in his speech anticipated my reply on this point—and that special officer is going into the first two points, namely, the introduction of the ballot system and the abolition of nomination on the union boards. Government also appointed a Chaukidari Committee about a couple of years ago. This committee made extensive tours, collected public opinion and are still considering the questions referred to it. Government have not yet received its recommendations. So under these circumstances I do not think the House will be justified in committing itself to the principles of the Bill by referring it to a select committee. With these few words, Sir, I commend my motion to the acceptance of the House. I have no objection, however, in changing the date within which the public opinion is to be obtained from the 31st December, 1940, to the 30th of June, 1940.

The motion of the Hon'ble Sir Bijoy Prasad Singh Roy (moved on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca) that the Bengal Village Self-Government (Amendment) Bill, 1939, be circulated for the purpose of eliciting opinion thereon by the 30th June, 1940, was then put and a division taken with the following result:—

AYES—100.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed, Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Basu, Mr. Jatindra Nath.
Biswas, Mr. Rasik Lal.
Das, Mr. Aunkul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edhar, Mr. Upendranath.

Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hatemally Jamadar, Khan Sahib Maulvi.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Saifruddin Ahmed, Haji.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brahant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Walker, Mr. J. R.
Whitehead, Mr. R. B.
Yusuf Ali Choudhury, Mr.

NOES—59.

Abdul Jabbar Paiwan, Mr. Md.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazi, Mr. Md.
Ahmed, Khan, Mr. Syed.
Azimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobindra Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Babu Narendra Narayan.
Chattopadyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deuri, Mr. Narendra Nath.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Ghuznddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Jenab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lal.
Kunde, Mr. Nishitha Nath.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Pain, Mr. Barada Prosanna.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Narendra Kumar.
Wahid Rahman, Maulvi.
Zaman, Mr. A. M. A.

The Ayes being 100 and the Noes 59, the motion was carried.

Expression of regret by Dr. Sanyal.

Dr. NALINAKSHA SANYAL: Sir, may I submit something——

Mr. SPEAKER: I am sorry I cannot hear you, you are not a member of this House now.

Dr. NALINAKSHA SANYAL: Sir, I want only to submit——

Mr. SPEAKER: I am not going to hear anything from you at least for to-day.

Dr. NALINAKSHA SANYAL: Sir, I am going to submit something to-day in that connection——

Mr. SPEAKER: I am sorry I cannot allow you to speak now.

Dr. NALINAKSHA SANYAL: Sir, I hope if I express my regret you will accept it.

Mr. SPEAKER: Yes, of course. I am quite prepared even now to accept it; but I cannot allow you to speak now. I may say that the proper procedure in a case like this is that somebody on behalf of your party should ask for opening the matter, and I am quite prepared to open it.

Dr. NALINAKSHA SANYAL: Sir, I do not like this matter to be regarded as a party matter at all: it is between you and me; and if I feel on subsequent consideration that in the circumstances of the case I was a bit excited and used improper language and if I now say "please do not stand by your order" and request you to withdraw it, would you not do it?

Mr. SPEAKER: As a matter of fact, I will be the last person to stand in the way of good sense prevailing in you even at this late stage.

Dr. NALINAKSHA SANYAL: Thank you, Sir.

Point of Order.

Dr. NALINAKSHA SANYAL: Sir, may I now rise on a point of order on another matter? I draw your attention to rule 20 (*3*)(*c*) which states that with regard to the arrangement of business——

Mr. SPEAKER: I am sorry that question has already been raised and decided.

Dr. NALINAKSHA SANYAL: Sir, let me finish my point of order. I also draw your attention to rule 75 where it is stated—"On the day on which such motion is made or any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principles."

As a result of this rule, such a Bill which has come to us from the Council, and which was contemplated to be moved to-day by Mr. Datta will not be passed unless we have two distinct days for the same. In view of that difficulty, may we not request you kindly to allow this Bill to be moved at this stage, after some amount of non-official business of the other group has been done, so that we may not be required to seek two days for getting this Bill through?

Mr. DHIRENDRA NATH DATTA: Sir, my Bill should have precedence over all others, otherwise all other proceedings will become null and void. Sir, I think no discretion is left to you in this matter.

Mr. SPEAKER: For the time being I do not see any difficulty in the Bill being taken up in one day, and I think two days will not be necessary. Under rule 52 we can take this Bill into consideration on the same day.

Dr. NALINAKSHA SANYAL: Sir, if the rule is interpreted properly——

Mr. SPEAKER: As a matter of fact, I might say that so far as this decision is concerned, it involves very great constitutional difficulty. On the one hand, I am here to see that the rights of the Assembly are not jeopardised. The reason why I give that interpretation for the time being is that otherwise it would be impossible for this House to get through any non-official Bill, because if the Council passes any Bill—and it is much easier for the Council to pass any non-official Bill than this House—then at any stage our non-official Bills will be obstructed by some Bill being passed by the other House. This is one constitutional difficulty which I visualise. I am not saying this with regard to any particular case only. But please do remember that if that is to be the interpretation, then it will be possible for the Council to pass any non-official or official Bill and obstruct our entire proceedings: that is the constitutional difficulty which I have in my mind. On the other hand, the practice which we have been following is that once our agenda is formed, then anything which comes after that must take place after the business on the agenda is finished. Whether that decision is right or wrong I am myself in doubt after the point has been brought to my notice

by Mr. Datta. But this much I can say that the Government of India have given us good safety, and no irregular procedure can invalidate our proceedings. Therefore, right or wrong, our position stands and that is what we have done. But I do promise to look into this matter. I do, however, certainly feel that if the position comes to this that it will be impossible for this House to carry any non-official Bill because perchance some other Bill may come from the other House, then that is a position which this House should seriously consider. We are setting up precedents and this may create difficulty later on. Who knows that the same relationship which exists to-day between the two Houses will continue in future also? So difficulties may arise in future. Therefore, for the time being, I do decide that the Patni Taluks Regulation (Amendment) Bill, 1939, will be the last business on the agenda.

So far as the question of two days is concerned, my present interpretation is that it is not necessary; this is my present decision and that decision, for the time being, is that two days will not be necessary. We are following the same interpretation as we have done in other cases. So there will be no difficulty on that score.

The Bengal Land Revenue Sales (Amendment) Bill, 1937.

Mr. SYED ABDUL MAJID: I beg to move under the proviso to sub-rule (2) of rule 19 of the Bengal Legislative Assembly Procedure Rules that the Bengal Land Revenue Sales (Amendment) Bill, 1937, be continued.

The motion was then put and agreed to.

The State Provision Bill for Veterinary Hospitals and Stud Bulls, 1937.

Khan Bahadur MOHAMMAD ALI: I beg to move under the proviso to sub-rule (2) of rule 19 of the Bengal Legislative Assembly Procedure Rules that the State Provision Bill for Veterinary Hospitals and Stud Bulls, 1937, be continued.

The motion was then put and agreed to.

Obituary reference.

Mr. SPEAKER: Ladies and gentlemen, just now my attention has been drawn by this side of the House (pointing to the Opposition Benches) to a very sad incident, viz., that one of our esteemed members, Mr. Mahim Chandra Das, has just expired. It is a very tragic event. I thought that this session I would be spared the duty

of announcing any such melancholy news to the Assembly. The late Mr. Das was one of the esteemed members of this House, and it was only the other day that he participated in the proceedings of this House. I hope it is the desire of the members of this House that a message of condolence should be sent to the bereaved family.

As a mark of your assent, will you please rise in your seats?

(The members rose in their seats.)

Thank you, ladies and gentlemen; necessary steps will be taken to send the appropriate message to the bereaved family.

In view of the circumstances, I do not think it is desirable to continue with the business of the House to-night. I therefore adjourn the House now.

Adjournment.

It being 7-30 p.m.—

The House was adjourned till 4-30 p.m. on Monday, the 8th April, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 8th April, 1940, at 4-30 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 8 Hon'ble Ministers and 220 members.

STARRED QUESTIONS

(to which oral answers were given)

Promotions in the office of the Administrator-General and Official Trustee, Bengal.

*288. **Mr. ABDUL HAKEEM:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state how many lower grade assistants have been promoted to upper grade posts in the office of the Administrator-General and Official Trustee of Bengal from the 1st April, 1939, up to date?

(*b*) How many of them are Muslims?

(*c*) If no Muslim has been promoted, will the Hon'ble Minister be pleased to state whether the Government contemplate filling up future vacancies by Muslim candidates only?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) Three.

(*b*) None.

(*c*) Promotion must be made on merit with due regard to seniority, but the question of recruitment to clerical posts in this office is already engaging the attention of Government and the orders proposed to be issued will, it is hoped, result in the appointment of a larger number of Muslims.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*), will the Hon'ble Minister please say whether in the matter of promotion from lower grades of services Government contemplate going

beyond paragraph 4 of the Government communiqué of 12th June, 1939, where it is clearly laid down that in the matter of promotion the communal ratio shall not apply?

Mr. SPEAKER: The answer is given in reply (*c*) itself.

Grants to non-Government Technical Schools.

*269. **Khan Bahadur FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Industries Department be pleased to lay on the table a statement showing, school by school, for the years 1937-38, 1938-39 and 1939-40 (up to December, 1939)—

(*i*) the grant both recurring and non-recurring awarded to the non-Government male and female Technical Schools;

(*ii*) the total amount spent for development of technical and industrial education among the—

(1) Muslims,

(2) Hindus (Caste and Scheduled),

(3) Christians, and

(4) Europeans,

respectively, during the period?

(*b*) Is the Hon'ble Minister aware of the backwardness of Muslims in technical education?

(*c*) If so, is the Hon'ble Minister considering the desirability of specifying a sum to be spent annually in recurring and non-recurring manner, for the advancement of technical and industrial education in schools run purely for Muslims male and female?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*) Statements I and II are placed on the Library table.

		Rs.	
(*ii*) 1937-38	.. .. ..	5,11,000	Actuals.
1938-39	.. .. ..	5,90,000	
1939-40	.. .. ..	6,88,000	Budget.

No separate statistics showing the expenditure for different communities are maintained.

(*b*) Yes.

(*c*) There is no such proposal before Government at present but I shall consider the question.

Khan Bahadur FAZLUL QUADIR: Will the Hon'ble Minister be pleased to state whether separate statistics will be maintained for different communities in future?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir, that question will be considered, but I think it will be very difficult to maintain such separate statistics.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what is the principle that Government follow in the matter of distribution of these grants?

The Hon'ble Mr. TAMIZUDDIN KHAN: The general principle according to the needs of the institutions and according as to whether an institution deserves a grant.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state which officer is placed in charge of distribution of these grants?

Mr. SPEAKER: That question does not arise.

Howrah-Hooghly Flushing and Irrigation Scheme.

*280. **Begum FARHUT BANO KHANAM:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether the Howrah-Hooghly Flushing and Irrigation Scheme has been prepared?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the estimated cost of the scheme;

(*ii*) the estimated area to be benefited by the scheme; and

(*iii*) the minimum amount which would have to be levied to meet the interest charges, working expenses and sinking fund?

(*c*) Are any steps being taken by Government to ascertain the present yield of crops in the area?

(*d*) If the answer to (*c*) is in the affirmative, what are those steps?

(*e*) Are there any data for estimating the probable yield of crops after an improvement has been effected by the scheme?

(*f*) Will the Hon'ble Minister also be pleased to state whether the scheme is proposed to be taken up under the Bengal Development Act XVI of 1935?

(*g*) If so, when do the Government expect to be in a position to ascertain under section 6 of the Act whether this House recommends the imposition of an improvement levy?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*), (*c*) and (*f*) Yes.

(*b*) (*i*) About Rs. 3 crores.

(*ii*) About 4¼ lakhs of acres.

(*iii*) About Rs. 5-3 per acre per annum.

The figures in the reply to parts (*a*) and (*iii*) are based on the rates prevailing when the scheme was prepared.

(*d*) Crop-cutting experiments in the area were carried out during the cold weather of 1938 and 1939 under the supervision of the Director of Land Records and Surveys, Bengal, and the results of the experiments will be examined by statistical experts. Further experiments on similar lines will be made during the next two or three years. It is hoped that on the information derived from the whole series of experiments Government will be in possession of unchallengeable figures relating to the yield of crops in the area, before the scheme is put into execution.

(*e*) With a view to ascertaining the post-canal yield in the Damodar Canal area crop-cutting experiments have been carried out there for 4 years. The figures of rainfall at Burdwan, Kalna, Hooghly, Serampore, Howrah, Arambagh and Amta have been studied and it has been found that the deficiency of rainfall in the area covered by this scheme is the same as in the Damodar Canal area. The Damodar Canal area and the area covered by this scheme adjoin each other and the lands are similar. The post-canal yield in the Damodar Canal area worked out on the results of the crop-cutting experiments can therefore be taken as a rough basis for estimating the probable yield of crop in this area after an improvement has been effected by this scheme.

(*g*) I hope to bring the question before the House some time this year.

Grant for Scheduled Caste education.

*291. **Mr. RASIK LAL BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) when the Government sanctioned Rs. 5 lakhs for the education of the Scheduled Castes;

(*ii*) how much of that amount has been spent till the 1st January, 1940;

(*iii*) how many times the Advisory Committee for Scheduled Caste Education presided over by Dr. Jenkins recommended for spending the entire sum with the dates of the meetings making such recommendations; and

(*iv*) how many times the recommendations of the Committee have been modified by the Government?

(*b*) Will the Hon'ble Minister be pleased to state the reasons for modifying the recommendations of the Committee?

(*c*) Have the Government prepared any scheme for the progress of education of the Scheduled Castes of this Province?

(*d*) If so, what is that scheme?

(*e*) Have the Government taken any advice or opinion of the Jenkin's Committee for Scheduled Caste education on the matter of progress of education of the Scheduled Castes?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) During the July session of the Assembly, 1938.

(*ii*) Rs. 1,88,991.

(*iii*), (*iv*) and (*b*) Government received the recommendations of the Committee for the distribution of the entire sum on one occasion only, i.e., in the proceedings of the meeting held on the 28th November, 1938. They approved some of the recommendations and awaited proposals for the distribution of the balance of the grant. These proposals were submitted to Government afterwards as they matured. The dates of the meetings of the Committee making subsequent recommendations are given below:—

3rd meeting held on the 18th March, 1939.

5th meeting held on the 25th August, 1939.

6th meeting held on the 29th November, 1939.

7th meeting held on the 16th February, 1940.

Government after careful consideration, modified some of the recommendations of the Committee made in their meetings held on the 28th November, 1938, 18th March, 1939, and 25th August, 1939. Some of the proposals were against the rules. For instance scholarships at the Veterinary College were recommended, which College does not fall within the Education budget in which the funds were provided. The recommendations made by the Committee in their 6th and 7th meetings are still under consideration.

(*c*) No. But Government consider all proposals made by the Advisory Committee. If a comprehensive scheme is prepared by this Committee, they are prepared to consider it.

(*d*) Does not arise.

(*e*) Yes.

Mr. ATUL CHANDRA SEN: With reference to answers (*a*) (*iv*) and (*b*), will the Hon'ble Chief Minister please say whether the only reason for modifying the recommendations of the Committee was that they were against the rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is one of the reasons.

Mr. ATUL CHANDRA SEN: How much of the total grant of Rs. 5 lakhs was allowed to lapse, because the recommendations were against the rules?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state the reason for awaiting the decision of the meeting of the 28th November?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer off-hand. I must have notice.

Mr. ATUL KRISHNA GHOSE: With reference to reply (*e*), will the Hon'ble Minister be pleased to state what is the reason for not making any scheme whatsoever up till now?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government does not make any scheme.

Mr. ATUL KRISHNA GHOSE: Sir, Government says no scheme has been framed.

Mr. SPEAKER: Yes, no scheme has been framed by the Committee.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether Government have enquired into the matter to know the reason why for such a long period no scheme has been formulated as yet?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Mr. Speaker, Sir, it arises because——

Mr. SPEAKER: I am sorry I can't allow you to enter into a discussion. I have told you repeatedly that I am very carefully watching your questions. The question as to why the Committee did not do a certain thing does not arise out of this question.

Mr. ATUL KRISHNA GHOSE: If I have any submission to make, Sir, will you not allow me?

Mr. SPEAKER: Yes.

Mr. ATUL KRISHNA GHOSE: My submission is this. The ultimate responsibility rests upon the Government in this matter, and if that be the case is it not the function of the Government to enquire into the deliberations of the Committee?

Mr. SPEAKER: If you had slightly modified your question it would have been all right, but the question in the present form does not arise.

Mr. ATUL KRISHNA GHOSE: Since the Committee was formed with the instructions of the Government, will the Government consider the desirability of enquiring into the matter and expedite some schemes for the education of the Scheduled Castes in regard to that fund?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not know if there are any schemes being considered. I do not think I am called upon to interfere with the discretion of the Committee. I hope they are working diligently to mature some schemes.

Mr. SPEAKER: Next question. Mr. Ghose, I might say that if I were in your position I would put the question in this form, "since the Committee have taken such a long time to prepare a scheme, whether Government have done it." The way in which you put the question has not been so framed.

Grant of permission to departmental officers to apply for direct appointment.

*292. **Dr. NALINAKSHYA SANYAL:** With reference to the reply to the supplementary question to question No. 59 (starred) of the 22nd February, 1940, will the Hon'ble Minister in charge of the Education Department be pleased to state whether in cases of direct recruitment officers of Government are in any case allowed to put in applications?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, except when a vacancy is reserved for a particular community or when suitably qualified candidates are not expected to be available in the services.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether we are to understand that the question whether suitable qualified candidates are available in the services or not is to be decided before the officers will be allowed to submit their applications?

The Hon'ble Mr. A. K. FAZLUL HUQ: Ordinarily, they are allowed to apply except on two circumstances, namely, except when the vacancies are reserved for a particular community or, as I have said, when it is expected that candidates with suitable qualifications are not expected to be available.

Mr. SURENDRA NATH BISWAS: My question is: whether the question whether suitably qualified candidates are available in the services or not should be decided by Government first and the officers should be allowed to submit applications, or the officers should submit applications first and then the question of suitability of candidates will arise.

Mr. SPEAKER: In the answer itself it has been said that it has first to be decided whether qualified candidates are available.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government has any departmental arrangement for scrutinising whether any qualified candidate is available or not?

Mr. SPEAKER: That question does not arise.

Election of a Secretary by the District School Board, Bogra.

*293. **Khan Bahadur MOHAMMED ALI:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the District School Board of Bogra at a meeting held on the 9th December, 1939, elected a non-official member to act as the Secretary in exercise of the power conferred on the Board by section 19 (*1*) of the Bengal Rural Primary Education Act, 1930;

(*ii*) that the District Magistrate-President has not yet given effect to this resolution;

(*iii*) that the Vice-President of the Board referred the matter to the Commissioner of the Division; and

(*iv*) that he has not yet been favoured with a reply?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for the delay in giving effect to the same.

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The Commissioner is presumably considering the position in the light of the draft of an amendment to the rules under the Bengal (Rural) Primary Education Act which provides that the District Inspector of Schools shall be Secretary to the District School Board *ex officio*. The draft amendment has been published for eliciting public opinion and will shortly be taken into consideration by Government.

Communal proportion of upper division clerks in Civil Courts of Noakhali.

*294. **Maulvi MUHAMMAD IBRAHIM:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay on the table a statement showing—

(*i*) the present number of clerks in the upper grade of the ministerial services in the Civil Courts of Noakhali; and

(*ii*) the number of them that are—

(1) Muslims, and

(2) Hindus?

(*b*) Will the Hon'ble Minister be pleased to state whether any vacancy occurred in the upper grade during the last one year ending on the 29th of February, 1940?

(*c*) If so, what was the number of such vacancies?

(*d*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any of those posts have since been filled up?

(*e*) If so, by what method—by promotion or by direct recruitment?

(*f*) Will the Hon'ble Minister be pleased to state whether the claim of any Muslim clerk has been superseded in filling up these vacancies in case of promotion?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) 19.

(*ii*) (1)•4 Muslims and (2) 14 Hindus and 1 Christian.

(*b*) and (*d*) Yes.

(*c*) 4.

(*e*) Three by promotion from the next lower grade and one by direct recruitment.

(*f*) Yes, some Muslim and some Hindu clerks were superseded as they were found unfit for promotion.

Maulvi MUHAMMAD IBRAHIM: With reference to answer (*e*), will the Hon'ble Minister be pleased to state how many of these superseded clerks are Hindus and how many Muhammadans?

Mr. SPEAKER: I am sorry, that question does not arise.

Maulvi MUHAMMAD IBRAHIM: With reference to answer (*c*), will the Hon'ble Minister be pleased to state if it is not a fact that these replies were received from the District Judge himself?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Certainly.

Maulvi MUHAMMAD IBRAHIM: Will the Hon'ble Minister be pleased to state why mention has been made of Hindu clerks in reply to question (*f*) where there is no mention of Hindu clerks?

Mr. SPEAKER: Government only wanted to explain the position clearly.

Maulvi MUHAMMAD IBRAHIM: Will the Hon'ble Minister be pleased to state whether he is satisfied that the superseded Muslim clerks were really unfit for promotion?

Mr. SPEAKER: That question does not arise.

Title suits and money suits instituted in the Munsif's Courts at Brahmanbaria, Tippera.

*295. **Mr. MAQBUL HUSAIN:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing separately for the period between the 1st April, 1938, and 31st December, 1939—

(*i*) the number of—

(1) title suits, and

(2) money suits

instituted in the Court of each Munsif at Brahmanbaria, Tippera; and

(*ii*) the number of cases under each head—

(1) disposed of on contest, and

(2) decreed *ex parte*?

(*b*) How many of them were appealed against and with what result (to be shown class by class)?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: A statement is laid on the table.

Statement referred to in the reply to starred question No. 295.

(*a*) (*i*) *Institutions.*

	Title suits.	Money suits.
1st Munsif, Brahmanbaria ..	511	106
2nd Munsif, Brahmanbaria ..	521	188
3rd Munsif, Brahmanbaria ..	278	77
Total ..	1,310	371

(ii) *Disposal.*

	Title.		Money.	
	Ex parte.	Contested.	Ex parte.	Contested.
1st Munsif ..	222	94	40	8
2nd Munsif ..	163	138	74	18
3rd Munsif ..	97	103	30	15
Total ..	482	335	144	41

(*b*) *Money Appeals.*

	Number filed.	Reversed.	Confirmed.	Modified.
Against the Judgment of—				
1st Munsif, Brahmanbaria ..	4	..	2	2
2nd Munsif, Brahmanbaria	3	2	1	..
3rd Munsif, Brahmanbaria ..	2	2	..	..
Total ..	9	4	3	2

Title Appeals.

Against the Judgment of—	Number filed.	Results.							
		Withdrawn.	Compromised.	Default.	Remanded.	Confirmed.	Modified.	Reversed.	Pending.
1st Munsif, Brahmanbaria ..	28	1	1	..	..	18	2	2	4
2nd Munsif, Brahmanbaria ..	75	..	6	1	..	32	4	21	11
3rd Munsif, Brahmanbaria ..	38	..	3	2	1	14	3	7	8
Additional Munsif, Brahmanbaria ..	5	..	..	..	..	5	..	..	..
Total ..	146	1	10	3	1	69	9	30	23

Extension of services of clerks in Deputy Commissioner's office, Darjeeling.

*298. **Mr. DAMBER SINGH GURUNG:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing the names of clerks of different communities working at present in—

(1) the Deputy Commissioner's Kutchery, and

(2) the Communications and Works Department, Darjeeling,

that have completed 25 years' service and have reached the age-limit of 55 years too?

(*b*) Will the Hon'ble Minister be pleased to state how many extensions have been given to each of the clerks referred to in (*a*)?

(*c*) Is there any proposal to give further extension to any of them?

(*d*) Is the Hon'ble Minister aware of the problem of unemployment amongst the Hill communities?

(*e*) Do the Government consider the desirability of stopping further extensions?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (1) A statement furnishing the information is laid on the table. The age-limit, however, is 60 and not 55 years.

(2) A separate question may be addressed to the Hon'ble Minister in charge of the Communications and Works Department.

(*b*) No extensions have been granted.

(*c*) and (*e*) Do not arise.

(*d*) Yes.

Statement referred to in the reply to clause (a) (1) of starred question No. 296.

	Name of clerk.	Community.
1.	Babu Ram Sewak Sinha	.. Bihari.
2.	Babu Sham Sher Singh Subha	.. Hillman.

Betel leaf cultivation in Bengal.

***297. Mr. PATIRAM ROY:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that a section of people in Bengal live on the cultivation of betel;

(*ii*) that the cultivation is dwindling every day due to attack of a kind of contagious disease;

(*iii*) that the attack of the disease has become alarming in magnitude for the last two years;

(*iv*) that the cultivation of betel in many places has completely died out; and

(*v*) that the cultivators concerned have been affected thereby?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government have made any research and adopted any means to cure the disease?

(*c*) What steps, if any, do the Government propose to take to save the betel leaf cultivation of Bengal?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) Yes.

(*ii*) Yes, in certain parts of Khulna district.

(*iii*) Yes, in certain localised areas.

(*iv*) I have no such information.

(*v*) Yes, in certain localities on account of (*ii*) and (*iii*) above.

(*b*) Research has been carried out and suitable means to control and prevent the disease have been found out.

(*c*) The Department has conducted and is still conducting practical demonstration of the control and preventive measures against the disease to the Baruis in their *Pan-Borojes*.

Mr. ATUL KRISHNA GHOSE: In answer (*b*) the Hon'ble Minister has said: "Research has been carried out and suitable means to control and prevent the disease have been found out." Will the Hon'ble Minister please enlighten us what are those means that Government found out?

The Hon'ble Mr. TAMIZUDDIN KHAN: For exact information I want notice.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister please enlighten us whether at any time this research work was published in any newspaper whatsoever?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Enhancement of notice fee by the Collector, Chittagong.

*298. **Maulana MD. MANIRUZZAMAN ISLAMABADI:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the Collector of Chittagong has recently enhanced the notice fee (রুজিনা) from 12 annas to Rs. 3 for the default of revenue paying *mahals;* and

(*ii*) that the penalty for default has been increased to a maximum of Rs. 50 from the previous rate of Rs. 2 to Rs. 10 only?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate taking immediate steps for the reduction of the enhanced rates?

The Hon'ble BIJOY PRASAD SINGH ROY: (*a*) (*i*) No. The rates of process fee (notice fee or রুজিনা) leviable under rule 70 of the Sale Law Manual, 1932, were fixed in 1893. Up to 1903 the district of Chittagong was exempted from the order imposing separate fees for notices served in different places owing to the number of petty estates in that district and a flat rate of 12 annas only was charged. In 1903 all estates paying revenue of Rs. 10 and upwards were brought under the full operation of the rule, the rest paying the 12-anna rate as before.

Process fee is now being realised in Chittagong at the following consolidated scale instead of charging separate fees for separate notices:—

	Rs.	a.	p.	
For proclamation under section 7 of the Act XI of 1859—				
(*i*) Estates and tenures with annual demand of Rs. 10 and over ..	2	4	0	(Consolidated).
(*ii*) Estates and tenures with annual demand of less than Rs. 10	1	8	0	,,
(*iii*) Estates and tenures with annual demand of below Rs. 5	0	12	0	,,
For proclamation withdrawing attachment under rule 70(4) of the Sale Law Manual ..	0	12	0	,,

(*ii*) No. The penalty is not levied in lump but on a percentage basis. The rates vary from 1 per cent. to 15 per cent. on the amount of default according to the date when payment is tendered.

(*b*) No reduction of the rates of penalty for default is in contemplation of Government. As regards the process fee, the matter is under examination.

Scheduled Caste employees in Collectorates of the Burdwan Division.

*299. **Mr. ADWAITA KUMAR MAJI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing separately, district by district—

(*a*) the present number of Scheduled Caste employees including menials in the Collectorates of Burdwan, Birbhum, Bankura, Hooghly, Howrah and Midnapur;

(*b*) their respective qualifications;

(*c*) their home districts; and

(*d*) their community?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement furnishing the information is laid on the table.

Statement referred to in the reply to starred question No. 299.

Name of Collectorate.	Clerks belonging to Scheduled Castes.							
	Permanent.				Temporary.			
	Number of clerks employed.	Qualification.	Home district.	Community.	Number of clerks employed.	Qualification.	Home district.	Community.
Burdwan ..	5	Matriculates	Burdwan 4 Bakarganj 1	Namasudra 2 Dhoba .. 1 Jaha-Kai-barta .. 1 Bauri .. 1 5	6	Matriculates	Burdwan	Sunri .. 4 Namasudra 1 Dom .. 1 6
Birbhum ..	4	Matriculates	Birbhum	Dhoba . 3 Sunri . 1 4	4	Matriculates 3 Up to Matric 1 4	Birbhum	Sunri . 2 Bagdi .. 1 Konwar .. 1 4
Bankura ..	3	Matriculates	Jessore 2 Bankura . 1	Namasudra 2 Jaha-Kai-barta .. 1 3	1	Matriculate	Bankura	Sunri

Hooghly ..	5	Graduate .. 1 Under-Graduate 1 Matriculates 3 5	Hooghly .. 4 24-Parganas 1	Jaha-Kaibarta 1 Namasudra 1 Pod .. 1 Adi Kaibarta 1 Sunri .. 1 5	3	Graduate .. 1 Matriculate 1 Non-Matriculate .. 1 3	Hooghly .. 2 Bankura .. 1	Namasudra 1 Sunri .. 2
Howrah ..	5	Matriculates	Howrah .. 4 24-Parganas 1	Namasudra 2 Bagdi .. 2 Pod .. 1 5	1	Matriculate	Howrah	Bauri
Midnapore ..	7	Graduate .. 1 Matriculates 6 7	Birbhum .. 1 Faridpur .. 1 Midnapore 5 7	Hadi .. 1 Dhoba .. 1 Sunri .. 1 Namasudra 2 Kaora .. 1 Konwar .. 1 7	3	Matriculates	Midnapore	Pod .. 1 Konwar .. 2

Name of Collectorate.	Menials belonging to Scheduled Castes.							
	Permanent.				Temporary.			
	Number of menials employed.	Qualification.	Home district.	Community.	Number of menials employed.	Qualification.	Home district.	Community.
Burdwan ..	1	Literate	Burdwan	Bagdi	2	Literate	Burdwan	Hari .. 1 Namasudra 1
Birbhum ..	2	Literate in vernacular	Birbhum	Dhoba .. 1 Konai .. 1	7	Up to class VI	Birbhum	Konai .. 1 Mal .. 1 Sunri .. 3 Bagdi .. 1 Muchi .. 1 7
Bankura ..	3	Literate .. 3	Bankura	Haris .. 3	1	Literate	Bankura	Dhoba.

Hooghly ..	1	Literate in vernacular.	Bankura	Lohar	1	Literate in vernacular.	Hooghly	Bagdi.
Howrah ..	..	....	....	....	1	Read up to Matriculation standard.	Hooghly	Bagdi.
Midnapore ..	8	Primary standard.	Midnapore	Hari .. 1 Dom .. 1 Jalia-Kaibarta .. 1 Kandra .. 4 Bagdi .. 1 8	1	Primary standard.	Midnapore	Dhoba.

Vacancies filled up by different communities in the Khas Mahal Department of Bengal.

*300. **Mr. MD. ABUL FAZL:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing from the 1st April, 1937, to the 31st January, 1940.

(*a*) the vacancies that occurred in the Khas Mahal Department of Bengal;

(*b*) the number that have been filled up by—

(1) Muslims,

(2) Scheduled Castes, and

(3) other castes;

(*c*) how many of these vacancies were for surveyors; and

(*d*) how they have been filled up?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table.

Statement referred to in the reply to starred question No. 300.

Number of vacancies	406
Number filled up by—	
Muslims	186
Scheduled Castes	33
Other castes	187
Number of vacancies for surveyors	53
Number filled up by—	
Muslims	20
Scheduled Castes	4
Other castes	29

Mr. MD. ABUL FAZL: Will the Hon'ble Minister be pleased to state whether the vacancies include vacancies in the posts of menials?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, it does.

Mr. MD. ABUL FAZL: Will the Hon'ble Minister be pleased to state how many of these are menials?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Notices served by Excise Inspector of Dinajpur on some excise vendors.

***301. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Excise Department be pleased to state whether the Excise Inspector in charge of Dinajpur served notices on 27 or any lesser number of Excise vendors in the district to show cause why their licences should not be cancelled this year?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether licences of any or all of them have been cancelled?

(*c*) If no such licences were cancelled, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) What were the reasons of serving such notices?

(*e*) Was the notice served with the knowledge of the Excise Commissioner or of the Hon'ble Minister?

(*f*) If the answer to (*e*) is in the negative, will the Hon'ble Minister be pleased to state what steps he proposes to take in the matter?

MINISTER in charge of the EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) to (*f*) The matter is under enquiry.

Mr. ATUL KRISHNA GHOSE: Sir, I beg to submit that this is no reply whatsoever to the series of questions put by the questioner.

Mr. SPEAKER: You can ask the Hon'ble Minister about the enquiry.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state when the enquiry was started?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I want notice.

Withdrawal of ban on newspapers.

***302. Mr. PUSPAJIT BARMA:** (*a*) Is the Hon'ble Minister in charge of the Publicity Department aware that in the printed report about the achievements of the Bengal Ministry it has been stated that the Government have withdrawn the ban on newspapers in the matter of publication of Government advertisements irrespective of political opinion?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the ban on the *Barisal Hitaisi* has been withdrawn?

(*c*) If the ban has not been withdrawn, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Yes.

(*c*) Does not arise.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to state when the ban on the *Barisal Hitaishi* was withdrawn?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the exact date; but it was long before the question was put.

Eligibility of Government servants for election to the District Board by Local Boards.

***303. Mr. MANINDRA BHUSHAN SINHA:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the Circle Officer, Bankura Sadar, an appointed member of the Bankura Sadar Local Board, was elected to the District Board of Bankura by that Local Board at a special meeting held on the 20th April, 1938?

(*b*) If so, will the Hon'ble Minister be pleased to state whether the election of that officer to the District Board militates against the principle laid down in the Bengal Government circular No. 21, dated the 8th March, 1911?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a copy of that circular?

(*d*) Is the Hon'ble Minister aware—

(*i*) that in a similar case the election of the Deputy Inspector of Schools by the Local Board of Bishnupur to the District Board of Bankura in 1921 it was held that the underlying principle of the aforesaid circular should apply;

(*ii*) that as a result thereof that officer was made to resign his membership of the District Board; and

(*iii*) that an election was held to fill the seat under orders of the Commissioner of the Burdwan Division communicated in his letter No. 2315L.S.-G., dated the 15th July, 1921, to the District Magistrate of Bankura?

(*e*) Will the Hon'ble Minister be pleased to lay on the table a copy of the letter referred to in (*d*) (*iii*)?

(*f*) Do the Government contemplate to take similar action in this case?

(*g*) If not, what are the reasons?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) Yes.

(*b*) No, as the circular referred to by the honourable member has reference only to Subdivisional Officers and the considerations on which the circular is based do not apply to the case of Circle Officers.

(*c*) A copy is laid on the Library table.

(*d*) (*i*) It was so held by the Commissioner. The Commissioner does not appear to have referred the case to Government for their opinion as regards the applicability of the circular to the Deputy Inspector of Schools.

(*ii*) and (*iii*) Yes.

(*e*) A copy of the letter is laid on the Library table.

(*f*) and (*g*) Do not arise in view of the answer to (*b*). I am however further examining the question as to whether the principle enunciated in the Circular of 1911 should not be extended to other officers besides Subdivisional Officers.

Tube well contractors enlisted in the Dacca Collectorate.

*304. **Mr. SYED SAHEB ALAM:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) the number of tube well contractors enlisted in the Dacca Collectorate;

(*b*) the number of them that are—

(1) Muslims,

(2) Hindus, and

(3) Scheduled Castes;

(*c*) the number of tube wells sunk in the years 1938, 1939 and 1940 in the Dacca district with Government fund;

(*d*) whether any tender was called for by the District Magistrate during the period referred to in (*c*) from amongst the enlisted contractors;

(*e*) the number of contracts relating to—

(*i*) tube wells, and

(*ii*) other constructions

given to each enlisted—

(1) Muslim,

(2) Hindu, and

(3) Scheduled Caste

contractors in the years referred to in (*c*).

(*f*) whether the enlisted Muslim contractor or contractors submitted tenders at the same rate with other Hindu contractors;

(*g*) whether any enlisted contractor got any contract in 1939 and 1940;

(*h*) if not, why not;

(*i*) whether any unenlisted Hindu contractor got any contract in 1940; and

(*j*) if so, why?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) 32.

(*b*) (1) 8.

(2) and (3) 24. The District Magistrate reports that he could not ascertain from the list of contractors as to which of them belonged to the Caste Hindu and Scheduled Caste community respectively.

(*c*) 164 in 1938-39 and 130 in 1939-40.

(*d*) Yes.

(*e*) No tube well contract was given to any Muslim contractor but contracts for 23 ring wells were given to 3 Muslim contractors.

Contracts for 294 tube wells and 22 ring wells were given to contractors of the communities mentioned in (*b*) and (*c*).

(*f*) Yes. All the contractors submitted tenders at the same rate.

(*g*) The honourable member's attention is invited to the answer to clause (*e*) of this question.

(*h*) The selection was made by the District Magistrate in consultation with the District Engineer and contracts were given to those contractors who were known to have executed such works previously with success.

(*i*) No.

(*j*) Does not arise.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*e*), will the Hon'ble Minister please state why no tube-well contract was given to any Muslim contractor?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: As I have stated, Sir, the "selection of contractors was made by the District Magistrate in consultation with the District Engineer, and contracts were given to those contractors who were known to have executed such works previously with success." No contract was given to any Muslim contractor probably because no Muslim contractor came within that category.

Inadequate drainage and embankment in the district of Bakarganj.

***305. Mr. ABDUL WAHAB KHAN:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

(*i*) that there are vast *bil* areas and low lying lands in the district of Bakarganj without adequate drainage and embankment; and

(*ii*) that—

(A) communications by boats,

(B) drainage,

(C) water-supply, and

(D) sanitation of the district

have been affected by a number of dead and dying rivers and silted-up *khals*?

(*b*) Will the Hon'ble Minister be pleased to state whether representations were made to him within the recent years for the establishment of a subdivisional headquarters at Barisal town to investigate the problems referred to in (*a*) and to report thereon?

(*c*) If the answer to (*b*) is in the affirmative, what steps, if any, do the Government propose to take or have they already taken in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): Conditions such as are indicated by the honourable member have been brought to my notice and a proposal to establish an Irrigation Department subdivision with headquarters at Barisal is now under consideration. I am in a position to say that a decision has already been taken.

Primary schools in Mymensingh and annual recurring expenditure thereon.

*306. **Khan Sahib HAMIDUDDIN AHMED:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of free primary schools that have been started under the scheme according to the Government resolution with regard to Primary Education Act in the district of Mymensingh;

(*ii*) the amount of money that is necessary to meet the recurring expenditure of the primary schools that have already been established;

(*iii*) the amount that will be necessary for the remaining schools to be established;

(*iv*) the amount that is necessary for grants-in-aid to the existing girls' primary school;

(*v*) the annual education cess demand of the district; and

(*vi*) whether the entire amount of the cess is sufficient to meet the recurring expenses of primary education for boys and girls?

(*b*) If the answer to (*a*)(*vi*) is in the negative, will the Hon'ble Minister be pleased to state how the Government propose to meet the expenditure?

(*c*) What is the present permanent recurring grant for primary education to the district of Mymensingh?

(*d*) Do the Government contemplate to increase the grant to meet the requirement of the district?

(*e*) Are the Government considering the desirability of making some capital grants to the District School Board of Mymensingh each year for providing school premises and furniture to the backward and poor localities where public contribution can never be expected?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*)(*i*) 2,595.

(*ii*) Rs. 12,53,044.

(*iii*) Rs. 66,720.

(*iv*) Rs. 71,956.

(*v*) Cess Rs. 8,58,704. Tax Rs. 34,393.

(*vi*) No.

(*b*) The question is under my examination.

(*c*) Rs. 1,82,190.

(*d*) Yes.

(*e*) The question is under my consideration.

Mr. MIRZA ABDUL HAFIZ: Is the Hon'ble Minister aware that the number of existing girls' primary schools in Mymensingh is quite inadequate?

Mr. SPEAKER: That question does not arise.

Mr. MIRZA ABDUL HAFIZ: Yes, Sir, it does arise in view of his answer (*iv*) where he says that the amount granted to the existing girls' primary schools is Rs. 71,956.

Mr. SPEAKER: What is your question?

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state with reference to answer (*b*), whether the examination will be finished this year and the money may be available for distribution during the current year?

The Hon'ble Mr. A. K. FAZLUL HUQ: We shall try to meet the demand within the current year.

Construction of a bridge over Orissa Coast Canal at Satmail in Midnapore district.

*307. **Mr. NIKUNJA BEHARI MAITI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) whether the proposal for constructing a bridge over the Orissa Coast Canal at Satmail in Midnapore district has received administrative sanction;

(*ii*) whether a sum of Rs. 25,000 has been sanctioned by the Government to the District Board of Midnapore for the construction of the bridge;

(*iii*) whether the estimate and plan and the plan for the alignment of the approaches to the bridges have been prepared and sanctioned by the Government Communications and Buildings Department;

(*iv*) whether the absence of a bridge over the canal at Satmail is a long standing grievance of the local people; and

(*v*) whether the District Magistrate of Midnapore has moved the Department several times to get the plan and estimate prepared and approved?

(*b*) If the answer to (*a*)(*ii*) is in the affirmative, will the Hon'bl Minister be pleased to state—

(*i*) when was the money provided in the budget; and

(*ii*) the reasons why the Department failed to get the plan pr pared and approved?

(*c*) How long will the Department take to prepare the plan an estimate and to approve them?

(*d*) Is there any possibility of the bridge being constructed in th present financial year?

(*e*) If not, what steps do the Government propose to take for th construction of the bridge at an early date?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of th Minister in charge of the Communications and Works Department) (*a*)(*i*) and (*ii*) Government have agreed to make a grant of Rs. 25,00 on certain conditions.

(*iii*), (*b*) to (*e*) A sum of Rs. 25,000 was provided in this Irriga tion Branch budget for 1939-40, but no work was done that year. Th principal reason was that the rough project prepared by the Distric Board was incomplete and had to be returned for further investigations A report on these was recently received, and the District Board ar being asked to submit a rough project on lines indicated to them. I is impossible to say how long it will take the District Board to prepar the rough project, and later the detailed estimates, but I have issue instructions that the Superintending Engineer should expedite his par of the work.

(*iv*) I understand that there is a good ferry but I have no doub that a good bridge would be generally preferred.

(*v*) I am informed that the District Magistrate has been in touc with officers of the Department in connection with the project.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'bl Minister be pleased to state whether provision was made in the budge of 1939-40 before the project was sanctioned by the Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There was a pre liminary sanction but I understand that the detailed estimate was found defective and so the matter had to be referred back.

Rai HARENDRA NATH CHAUDHURI: Sir, this is no answe to my question! My question was whether provision was made in th budget of 1939-40 before the project was approved by the District Board?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The project was certainly approved by the Government.

Rai HARENDRA NATH CHAUDHURI: Then what led the Government afterwards to think that the project was incomplete?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Because they found some defects in it.

Rai HARENDRA NATH CHAUDHURI: When was this defect found?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Afterwards; before actually paying the money.

Drainage of Datbhanga bil in Basirhat subdivision, 24-Parganas.

***308. Khan Bahadur A. F. M. ABDUR RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state whether any scheme has been prepared by the Irrigation Department about the drainage of Datbhanga *bil* partly lying in the Basirhat subdivision and partly in Satkhira subdivision?

(*b*) If so, what is the total cost estimated for the scheme?

(*c*) When do the Government propose to take up the scheme?

(*d*) What is the total area of land which becomes unfit for cultivation when there is high level of water in the *bil*?

(*e*) Will the Hon'ble Minister be pleased to state when during the last 10 years, the tenants of *bil* area got average yield of crop?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) to (*c*) A scheme estimated to cost about six lakhs was prepared about ten years ago, but financial considerations made it impossible for the Government of the day to execute it. The Department have under examination a modified scheme and it is expected that a rough estimate of the cost will be ready this year.

(*d*) About 12 square miles.

(*e*) I have not been able to obtain the desired information so far and I trust that the honourable member will not press for it now that he knows that a project is under consideration.

Rai HARENDRA NATH CHAUDHURI: With reference to his answers (*a*) to (*c*), will the Hon'ble Minister be pleased to state whether the scheme which was prepared 10 years ago related to the Bundi *bil* and not to the Datbhanga *bil*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, it relates to the Datbhanga *bil*.

Rai HARENDRA NATH CHAUDHURI: When was the scheme prepared then?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Ten years ago.

Rai HARENDRA NATH CHAUDHURI: What is the actual date?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

Rai HARENDRA NATH CHAUDHURI: Was any provision ever made with regard to the scheme or was the scheme even announced to the public?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state how long this modified scheme has been under the examination of Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Only recently, Sir.

Rai HARENDRA NATH CHAUDHURI: When was the modified scheme prepared?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No scheme has yet been prepared, Sir, the matter is still under consideration.

Rai HARENDRA NATH CHAUDHURI: His answer is that the department have under examination a modified scheme and it is exjected that a rough estimate of the cost will be ready this year. May I then take it that the modified scheme has not been prepared even now?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Appointment of clerks by District Judge of Bakarganj, since 1st April, 1937.

*309. **Mr. UPENDRA NATH EDBAR:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing up to date since 1st April, 1937—

(*i*) the number of clerks (junior and senior) appointed by the District Judge of Bakarganj; and

(*ii*) the number of them that are—

(1) Caste Hindus,

(2) Scheduled Castes,

(3) Muslims, and

(4) other Minority communities?

(*b*) Has the principle of communal ratio in services been followed at the time of appointments?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) 16 by direct recruitment in permanent posts.

(*ii*) (1) 8.

(2) 2.

(3) 5.

(4) 1.

(*b*) Of the 16 appointments, 14 were made prior to 17th March, 1939, and were in accordance with the instructions contained in the Government circulars then in force, and the communal ratios then laid down were followed. Regarding appointments made after 17th March, 1939, the member is referred to the answer given on the 15th March, 1940, to question No. 226 of Khan Sahib Maulvi Syed Afzal.

(*c*) Does not arise.

Drainage and embankment of Satla bil area in Bakarganj district.

*310. **Mr. ABDUL WAHAB KHAN:** Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*a*) whether he is aware of the condition of drainage and embankment of the Satla *bil* area in the district of Bakarganj;

(*b*) whether any survey has been made of the area;

(*c*) whether any estimate has been made of the work of necessary embankment; and

(*d*) what steps the Government have taken or the Government propose to take in the matter of improvement of the said area?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) Yes; but there is no embankment round the Satla *bil* area.

(*b*) to (*d*) The attention of the hon'ble member is invited to the reply which I gave on the 1st March, 1940, to his starred question No. 155.

Mr. ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that there is a necessity for an embankment round the Satla *bil* area?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Silting up of the Hurasagar and certain other rivers in Pabna.

***311. Mr. ABDUR RASCHID MAHMOOD:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that the Hurasagar, Fuljore, Boral and Ichamati rivers in the district of Pabna have almost silted up;

(*ii*) that they have become unnavigable during the winter and dry seasons; and

(*iii*) that communications by boats in many parts of the district of Pabna have become impossible?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take to make the rivers navigable throughout the year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) (*i*) and (*ii*) The Ichamati river has deteriorated beyond any possibility of resuscitation. The other rivers named by the hon'ble member are in fair condition, and are navigable throughout the year with the exception of the upper portion of the river Boral in Rajshahi and small length in Pabna which are not navigable in the dry season.

(*iii*) Yes, so far as the Ichamati and many small channels other than the Hurasagar, Boral and Fuljore are concerned.

(*b*) No general improvement of the small channels can be effected at a reasonable cost.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government are considering any scheme for improving the communication in that area?

Mr. SPEAKER: The question is too vague.

Irrigation scheme for Pabna.

*312. **Mr. MADHUSUDAN SARKAR:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware of the following irrigation problems of the Pabna district, namely,—

(*i*) that resuscitation of some of the dying rivers, namely, the Ichamati, the Hurasagar, the Boral, etc.;

(*ii*) that erection of some sluice gates on the streamlets Chiknai in Faridpur police-station; and Badai in Sujanagar police-station; and

(*iii*) construction of some drains to drain out the water from the *bils* like *bil* Kurulia in Chatmohar police-station?

(*b*) Will the Hon'ble Minister be pleased to state whether any of the works have been taken up?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*d*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the works done; and

(*ii*) the amount spent by the Department for the Pabna district since his assumption of office?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) (*i*) and (*c*) The hon'ble member is referred to the reply which I have just given to Mr. Abdur Rashid Mahmood's starred question.

(*ii*) The proposal regarding erection of sluice gates on the Chiknai river has been found to be technically unsound and has been dropped. It is not technically or financially feasible to construct sluice gates on the Badai river.

(*iii*) The proposal is under examination.

(*b*) No.

(*d*) (*i*) and (*ii*) A statement is laid on the table.

Statement referred to in the reply to clause (d) of starred question No. 312, showing the works done and the amount spent for the Pabna district since April, 1937.

Name of work.		1937-38.	1938-39.	1939-40.
		Rs.	Rs.	Rs.
Pabna embankment repairs	..	171	186	535
Pabna revetment repairs	..	307	348	310
Serajganj mattress repairs	..	1,449	3,570	2,436
Surveys	..	Nil	Nil	384

Mr. MADHUSUDAN SARKAR: With reference to answer (*a*) (*ii*), will the Hon'ble Minister be pleased to state whether the matters have been examined by any experts?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. MADHUSUDAN SARKAR: Will the Hon'ble Minister be pleased to state whether he is aware that the district of Pabna is a deficit district—deficit in the sense that the district cannot produce as much crop as is necessary for the consumption of the people there? That is due to the fact that large tracts of land are lying fallow for want of proper irrigation works.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It may be so. I have no information.

Construction of Hajiganj-Matlab Road in Tippera.

***313. Maulvi JONAB ALI MAJUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*i*) that a road named as Hajiganj-Matlab Road is under construction since last year in the district of Tippera under the supervision of the local Subdivisional Officer, Chandpur;

(*ii*) that the cost for the construction of the road was met from the fund of the District Relief Committee, Tippera;

(*iii*) that the work of the road was started from the months of *Jaishta* and *Ashar*, 1345 B.S., as a measure of relief to the day labourers of the locality; and

(*iv*) that the wages of most of the day labourers, who worked in road in the months of last *Jaishta* and *Ashar*, specially of those of village Ladpara, have not yet been fully paid?

(*b*) If the answers to (*a*) (*i*) to (*iii*) are in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what was the amount sanctioned for the purpose; and

(*ii*) what was the amount actually spent and paid to the day labourers up to *Ashar* last?

(*c*) If the answer to (*a*) (*iv*) is in the negative, do the Government contemplate an enquiry into the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) Yes. The work of construction of the road is directly supervised by the Presidents of the four unions through which it passes, and inspected by the Circle Officer and the District Board Overseer. The Subdivisional Officer of Chandpur also inspects it during his tours.

(*ii*) No.

(*iii*) Yes.

(*iv*) It is reported by the local officers that the labourers received payment through the sardars who employed them. No complaint of non-payment has been received by the local officers.

(*b*) (*i*) Rs. 2,000 to be paid by Government out of the discretionary grant and Rs. 1,000 in cash and voluntary labour to be contributed by the people of the Union Boards concerned at the rate of Rs. 250 per union.

(*ii*) Rs. 1,300 out of the Government grant and Rs. 300 from local cash contribution.

(*c*) Does not arise.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state the name of any *Sardar* who distributed money among the labourers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the *Sardars* paid the amount personally?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SHAHEDALI: With reference to anwer (*a*) (*iv*) where it is said "it is reported by the local officers", will the Hon'ble Minister be pleased to state who are the local officers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Collector.

Mr. SHAHEDALI: It is said here "local officers".

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Collector and his subordinate officers.

Election of President of No. 10 Kankapait Union Board, Tippera.

***314. Maulvi MD. HASANUZZAMAN:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*i*) that the members' election of No. 10 Kankapait Union Board, police-station Chauddagram of Tippera was held on the 24th, 25th and 26th April, 1939; and

(*ii*) that the names of the nominated and elected members have not yet been gazetted?

(*b*) If the answer to (*a*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to state when the election of the President of the new Board is likely to be held?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) Yes.

(*ii*) The names have been published in the *Calcutta Gazette* of the 28th March, 1940.

(*b*) The District Magistrate reports that the original proposals for nomination were mislaid and fresh proposals had to be called for by him.

(*c*) Within the period prescribed in rule 29 of the Union Board Election Rules, a copy of which is laid on the Library table.

Representation of the Scheduled Castes on the Union Boards and Benches in Dacca.

*315. **Mr. DHANANJOY ROY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the total number of Union Boards in the district of Dacca with their respective names;

(*ii*) in how many of them Bench and Court have been established;

(*iii*) the number of Bench Courts in the Dacca district that are represented by the Scheduled Castes;

(*iv*) the names of Scheduled Caste members in the Union Boards of the said District;

(*v*) the principle followed for the appointment of members to the Union Boards; and

(*vi*) whether the principle, if any, was followed by the authorities of the Dacca district at the time of such appointment?

(*b*) If the answer to (*a*) (*vi*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to state whether any Scheduled Caste members have been appointed to the following Union Boards of the district:—

(1) Baidyerbazar;

(2) Sabdi;

(3) Kalagachhia;

(4) Bandar;

(5) Raipura;

(6) Ulashara; and

(7) Bhakurta?

(*d*) If not, what are the reasons?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) A statement is laid on the Library table.

(*ii*) Benches in 120. Courts in 121.

(*iii*) 35.

(*iv*) A statement is laid on the Library table.

(*v*) The general principle of appointment of members of Union Boards is to secure the due representation of minorities and of different interests within the Unions, subject to suitable candidates being available.

(*vi*) Yes.

(*b*) Does not arise.

(*c*) There is no Union Board called Sabdi in the Dacca district. As regards the other Union Boards, the answer is in the negative.

(*d*) In the opinion of the local officers, no suitable candidates belonging to the Scheduled Castes were available for appointment to the Baidyerbazar, Kalagachhia, Bandar, Raipura and Ulashara (the correct name of the Union Board is "Toke") Union Boards. As regards the Bhakurta Union Board, a Scheduled Caste member was elected and no suggestion for appointment of another member of the community was received by the District Magistrate.

Mr. ATUL CHANDRA SEN: With referenc to answer (*d*), will the Hon'ble Minister be pleased to state whether suggestions were invited from the local M.L.A.'s?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is not the practice to do so.

Notice served on Mr. Niharendu Datta Majumdar, M.L.A., by Bihar Police.

***316. Mr. NIHARENDU DATTA MAJUMDAR:** (SHORT NOTICE) (*a*) Is the Hon'ble Minister in charge of the Home Department aware that the questioner was visited by a police officer of the Bihar Government accompanied by a Special Branch Officer of the Calcutta Police on the 31st March at his Calcutta residence with a certain order of the Bihar Government made under the Defence of India Rules?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the aforesaid visit and order sought to be served took place with the previous knowledge and consent of the Government of Bengal; and

(*ii*) whether the Bengal Government passed any orders and authorised the aforesaid police officer of the Bihar Government to serve any orders or notices in the aforesaid manner on persons in the Province of Bengal?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*)(*i*) and (*ii*) No.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*) (*i*), do I understand the Hon'ble Minister to say that a police officer of another Government can serve an order on a man of this province without the previous notice of this Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is a matter of law whether he can or can not.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state under whose order the Special Branch Officer of the Calcutta Police accompanied the Bihar Police Officer to serve the order?

The Hon'ble Khwaja Sir NAZIMUDDIN: Under the order of his superior officer.

Scheme for scaling down co-operative debts of members of societies.

***317. Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether the scheme relating to scaling down of the co-operative debts of members of societies, granting them long instalment for repayment and Government financial assistance to pay off the depositors' money to the extent of good assets of the societies as was announced in the last March Session of the Assembly to be under the consideration of Government has since been given effect to?

(*b*) If not, will the Hon'ble Minister be pleased to state the reasons for the delay?

(*c*) Is the Hon'ble Minister aware that the delay is hampering the activities of the Central Banks in that they are fast losing confidence of the investing public and cannot raise local capital any more for advancing to the agriculturists at this time when there is contraction of credit in rural areas?

(*d*) If the reply to (*c*) is in the affirmative, is the Hon'ble Minister proposing to give effect to the scheme before the next cultivation season?

(*e*) Will the Hon'ble Minister be pleased to state the amount of short term loan that was advanced by Government to the Provincial Bank in the last cultivation season for enabling the members of the co-operative societies to raise their crop?

(*f*) When was the instalment of repayment of this loan fixed?

(*g*) How much of this loan has been realised up to date?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Not yet.

(*b*) The scheme has required very careful examination.

(*c*) I am aware that Central Banks find it difficult to raise capital locally.

(*d*) The matter is still under examination.

(*e*) Rs. 13,50,000.

(*f*) Seven lakhs of rupees by 3rd July, 1940. Six and a half lakhs of rupees by 5th July, 1940.

(*g*) The whole amount.

Mr. SIBNATH BANERJEE: With reference to answer (*b*), will the Hon'ble Minister be pleased to state how many months more will he take to complete the careful examination?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Very difficult to prophesy, but I will try to hurry up the matter.

Mr. SATYA PRIYA BANERJI: How long has the scheme been under examination?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: For some time now.

Transfer of the present Divisional Auditor, Chittagong Division.

***318. Mr. SYED AHMED KHAN:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) whether there is any time-limit for the transfer of the officers of the Co-operative Department;

(*ii*) if so, what is the limit; and

(*iii*) whether the transfer of the present Divisional Auditor of the Chittagong Division has become due?

(*b*) If the answer to (*a*)(*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state when he is likely to be transferred?

(*c*) How long is the present Divisional Auditor serving in the Chittagong Division?

(*d*) Where is his home district?

(*e*) Will the Hon'ble Minister be pleased to state whether it is a fact that Provincial Officers are not generally transferred to their home districts?

(*f*) Is the Hon'ble Minister aware that the present Divisional Auditor is in the same district for a long time?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*)(*i*) There is no definite time-limit. Administrative officers are transferred in the public interest generally after a term of 3 to 5 years in one station.

(*a*)(*ii*), (*iii*) and (*b*) Do not arise.

(*c*) Since 7th October, 1926.

(*d*) Tippera.

(*e*) Yes; the Divisional Auditor is not posted in his home district.

(*f*) Yes.

Promotion of Assistant Sub-Inspectors of Police in Rajshahi Division.

*319. **Mr. ABDULLA-AL MAHMOOD:** Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing for the years 1938 and 1939—

(*a*) the number of Assistant Sub-Inspectors of Police promoted to the rank of Sub-Inspectors in the Rajshahi Division;

(*b*) the number of them that are—

(*i*) Hindus, and

(*ii*) Muslims;

(*c*) the length of services of each of them as Assistant Sub-Inspectors; and

(*d*) the criteria on which these promotions were made?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) to (*c*) A statement is laid on the table.

(*d*) Fitness.

Statement referred to in the reply to clauses (a) to (c) of starred question No. 319 showing for the years 1939 and 1938 the number of Assistant Sub-Inspectors of Police promoted to the rank of Sub-Inspectors in the Rajshahi Division and the length of service rendered by each of them as Assistant Sub-Inspector of Police.

Number promoted in 1939—

Hindus	..	7
Muslims	..	5

Number promoted in 1938—

Hindus	..	8
Muslims	..	4

Year.	Length of service of Hindu Officers.	Length of service of Muslim Officers.
	Y. M. D.	Y. M. D.
1939	14 0 0	18 6 1
	5 6 9	20 10 1
	16 0 0	11 4 1
	15 5 29	10 5 17
	11 2 23	14 9 1
	13 11 18	..
	10 6 8	..
1938	18 6 3	17 6 0
	14 5 27	15 0 18
	12 11 16	8 5 23
	8 6 0	7 5 23
	14 5 17	..
	18 6 3	..
	11 11 6	..
	10 10 15	..

Cost of liveries of dafadars and chowkidars in Union Boards of Rangpur district.

***320. Kazi EMDADUL HAQUE:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that Union Boards in the district of Rangpur have been asked to so prepare their budget estimates for the ensuing year 1347 B.S. as to provide more than double the usual sum for the cost of the liveries of the dafadars and chowkidars?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate the raising of the excess amount by additional taxation on the rate-payers?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) Yes.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is a fact that the cost of liveries of dafadars was reduced to Rs. 1-14, but Union Boards have been asked to raise it to Rs. 4?

The Hon'ble Khwaja Sir NAZIMUDDIN: Originally the cost was double, but it was reduced for a time because there was a surplus in the funds for the cost of these liveries. Now that the surplus has been used up, the rate has been increased and so the effect is that it is double now.

Assessment of Government buildings by Corporation of Calcutta.

***321. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether it is a fact that Mr. S. K. Sawday of Messrs. S. K. Sawday Ltd., was entrusted with the task of looking after the interests of Government in connection with certain cases of assessment of Government buildings by the Corporation of Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the names of the buildings;

(*ii*) the original and revised valuations made by the Corporation in each case;

(*iii*) the result of the valuation case conducted by Mr. Sawday in connection with each;

(*iv*) the final valuation awarded by the appellate authority in each case; and

(*v*) the fees paid and costs incurred in each case?

(*c*) What are the special qualifications of Mr. Sawday for which he has been selected to represent Government in the assessment cases?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) what are the terms on which Mr. Sawday has been engaged; and

(*ii*) what is the total amount of remuneration and costs drawn by Mr. Sawday during the period from 1st April, 1937, to the latest available date?

(*e*) Is it a fact that the Corporation of Calcutta generally accept in connection with the valuation of Government buildings—

(*i*) the estimates given by the Executive Engineers of Government for the value of the buildings; and

(*ii*) the estimates made by the Land Acquisition Collector for the value of the respective lands?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Communications and Works Department): (*a*) Yes, in the interest of the provincial tax-payer Government thought it expedient to entrust the work to an expert.

(*b*) A statement is laid on the Library table.

(*c*) Mr. Sawday who, when a member of the Indian Civil Service, was Vice-Chairman of the Calcutta Corporation, has made a special study of the subject, and is the author of a book on Rating in Calcutta.

(*d*) (*i*) Government have engaged him as an experimental measure, until further orders, in respect of selected cases entrusted to him by this Department on condition that the fees payable to him will be 50 per cent. of one year's saving in tax. The arrangements are now being re-examined.

(*ii*) The amount due is Rs. 12,458 of which Rs. 2,000 has been withheld in accordance with the arrangement made with Mr. Sawday, as a reserve against the consequences of unfavourable decisions in appeals.

Cost for Court-fees Rs. 1,949-3.

(*e*) It will take some time to look up records and I would therefore request the honourable member to repeat this part of the question next session.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*), will the Hon'ble Minister be pleased to state the amount of saving effected to the provincial tax-payer as a result of the employment of Mr. Sawday?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I would refer my honourable friend to answer (*d*), (*i*) and (*ii*)—and he is being paid 50 per cent. of the saving, and the saving will amount to nearly Rs. 1,50,000 in 6 years—the period during which the assessment will be in force.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in not a single instance of the buildings in which Mr. Sawday appeared on behalf of Government, he has been able to get reduction admitted by the Court?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: In that case, these fees would not have been paid to him.

Dr. NALINAKSHA SANYAL: That is why I want to know if it is a fact that in the cases of premises of the Surveyor-General's Office, Wood Street, Photographic and Lithographic Office, Wood Street, Presidency Commissioner's residence, Theatre Road, Quarters for officers of Cossipore Gun and Shell Factory, Dum Dum Road, Presidency Commissioner's Office, Charnock Place, His Excellency the Governor's Stable, Wellesley Place, Indian Museum, Writers' Buildings and some others where Mr. Sawday was engaged, the appeals were either dismissed or the valuation reduced to a small figure and on the appeals preferred to the High Court the decision of the High Court was to stand by the figures near about the Corporation assessment and further if it is a fact that in all those cases of Government buildings which have been handled by Mr. Sawday, the decision has been more or less in favour of the Corporation as against Mr. Sawday?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, it is very difficult for me to say off-hand with regard to which buildings he could secure reduction in the assessment, but the total saving was to the tune of Rs. 1,50,000.

Dr. NALINAKSHA SANYAL: Sir, may I know if the Hon'ble Minister is only calculating from the figure given in the answer or he has looked into the files? Sir, it is not fair either to you or to me. I quite realise that it is difficult for the Hon'ble Minister to answer supplementaries on a question which does not relate to his own department. If the Hon'ble Minister is not in a position to refer to files, it is better that the question should be held over to the next session.

Mr. SPEAKER: You have been advised to repeat it next session.

Dr. NALINAKSHA SANYAL: Sir, that refers to the latter part of the question, namely, is it a fact that the Corporation of Calcutta generally accept in connection with the valuation of Government buildings—

(i) the estimates given by the Executive Engineers of Government for the value of the buildings, and

(*ii*) the estimates made by the Land Acquisition Collector for the value of the respective lands; and thereafter demand the valuation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am very grateful to my honourable friend for the advice and courtesy he has extended to me. But I may tell him that I am very sure of my facts and there is no necessity of postponing the question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Corporation of Calcutta invariably consult the Executive Engineers of Government for the valuation of buildings and the Land Acquisition Collector who is also a Government servant, for the valuation of the respective lands?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, probably that is so.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Corporation of Calcutta take the advice of these officers in preparing their assessment?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice as regards these details.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if that is the practice, then where is the scope for employing an ex-I.C.S. officer to oblige him with some fees?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The justification is the saving to the extent of Rs. 1,50,000—it does not matter whether he is an ex-I.C.S. officer or any one else. If there is a saving, Government are perfectly justified in employing him.

Dr. NALINAKHSA SANYAL: Will the Hon'ble Minister be pleased to state in respect of which buildings the alleged saving of Rs. 1,50,000 has occurred?

Mr. SPEAKER: That has been answered.

Dr. NALINAKSHA SANYAL: Sir, I want to know with respect to which buildings this alleged saving of Rs. 1,50,000 has taken place.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is very difficult for me to say off-hand with regard to which particular buildings the saving has occurred. But I may repeat, that the total amount of saving was Rs. 1,50,000.

Dr. NALINAKSHA SANYAL: I am not enquiring into other cases. I am only enquiring into such cases between Government and the Calcutta Corporation in which savings took place. I wanted to know the specific cases——

Mr. SPEAKER: It is very difficult for the Hon'ble Minister to say that.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If the honourable member will kindly repeat his question next session, Government will be pleased to supply the information.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the specific qualification in assessment work that Mr. Sawday possesses?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have already stated that Mr. Sawday was the Vice-Chairman of the Calcutta Corporation. He made a special study of the subject and is the author of a book on Rating in Calcutta.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that Mr. Sawday gets the patronage of the officers of Government because he had been formerly in the Indian Civil Service?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, he is employed because he is found useful.

Budget estimate of Bhogdanga Union Board, Kurigram, for 1347 B.S.

*322. **Kazi EMDADUL HAQUE:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*i*) that the budget estimate for the year 1347B.S. of the Bhogdanga Union Board in Kurigram police-station in the district of Rangpur has been lately returned to that board by

the Circle Officer of Kurigram with instructions to amend the expenditure side specially the item under the head "Cost of liveries of the dafadar and chowkidar" so as to increase the amount by double;

(*ii*) that the rate-payers of the said union have already been suffering due to—

(1) failure of last crops, and

(2) increase in the price of foodstuffs; and

(*iii*) that the rate-payers of the union are required to pay—

(1) the settlement recovery cost, and

(2) the agricultural loan?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps he proposes to take to make up the deficit in the budget on receipt side?

(*c*) Do the Government contemplate the desirability of accepting the budget as originally presented?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Minister in charge of the Public Health and Local Self-Government Department): (*a*) (*i*) The budget was returned to the Union Board with instruction to make due provision for the cost of liveries of dafadars and chowkidars according to the revised rates prescribed by Government, which have entailed an increase in the original liveries cost estimate of about Rs. 20 by Rs. 22 only.

(*ii*) No. There has been a normal *aman* crop in the area and the rise in the prices of foodstuffs has been counter-balanced by the increase in the prices of jute, paddy and other agricultural produce.

(*iii*) It is reported that the recovery camps have been closed and that the agricultural loans are not repayable till October next.

(*b*) and (*c*) Under the Account Rules for Union Boards, the budget is to be framed by the Union Board with the sanction of the District Magistrate in respect of the items relating to dafadars and chowkidars and of the District Board in respect of the other items. Government have, therefore, nothing to do with the question either of making up the deficit in the budget of a Union Board or of its acceptance or rejection. The additional expenditure involved in this case is, as already mentioned, only Rs. 22 in a budget of Rs. 1,300 and this is not likely to cause any hardship.

Forcible ejectment of Gyan Chandra Panda from homestead at Rupamari, Hasnabad, 24-Parganas.

*323. **Mr. NIHARENDU DATTA MAJUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware—

(*i*) that in about October-November, 1938, one Gyan Chandra Panda was forcibly ejected from his homestead land at Rupamari *abad* under police-station Hasnabad within the subdivision of Basirhat, district 24-Parganas, under Lot Nos. 104, 105 (Kakuria) and that his house was pulled down at the instance of the local *naib* by the *zamindar's* men armed with *lathis*, spears, rifles, etc., in broad daylight without any sanction of a court of law; and

(*ii*) that the Government chowkidar was present at the place of occurrence?

(*b*) What steps, if any, did the police take in connection with this incident?

(*c*) If no steps were taken, what were the reasons for such inaction?

(*d*) Whether any prosecutions were launched against the miscreants in connection with this incident?

(*e*) When was this incident first recorded or otherwise taken note of by the Hasnabad thana, and how many days after its occurrence?

(*f*) Whether he is further aware that shortly after this occurrence one Rajani Kanto Das *alias* Kachi, who was forcibly dragged by the *darwans* to the *zamindar's kachari*, where he was severely assaulted by the same *naib* with injuries inflicted on him causing bleeding, also reported his plight to the Hasnabad thana on the same day?

(*g*) What steps, if any, have so far been taken by the police in this connection?

(*h*) Whether it is a fact that shortly afterwards, the officer in charge of the Hasnabad thana was transferred?

(*i*) If so, what were the reasons for his transfer?

(*j*) Whether he is aware that a petition of complaint was submitted by some local people to the Superintendent of Police, then in charge, against the aforesaid officer in charge of Hasnabad thana to the effect that he was in league with the *zamindar's kachari* and used to take bribes in lieu of leaving the tenants to the tender mercies of the *zamindar's naib* without any protection whatsoever against the latter's oppression as enumerated above?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) No. The fact is this. Mr. N. Dalal, the *zamindar* of Rupamari, had the land in question converted to *khas* some 12 or 13 years ago during which time this *zamindar* has been in possession of the land. In December, 1938, one Gyan Panda and his nephew erected a temporary shed on the land in question. When this was discovered it was demolished by *naib* Jadavananda Kundu and his men, apparently in the exercise of the right of defence of private property.

(*ii*) There is no record to indicate that a chowkidar was present at the place of occurrence.

(*b*) and (*e*) On the 8th December, 1938, Gyan Panda appeared at the police-station and lodged information on the matter of his forceful ejection which was the subject-matter of a General Diary entry. He objected to the making of the land in question *khas* by the *zamindar*. He was advised by the officer in charge of the police-station to refer the matter to Court as it was considered outside the competency of local police action.

(*f*) and (*g*) On 17th January, 1939, Rajani Kanta Das lodged a complaint at Hasnabad police-station against *naib* Jadavananda Kundu and nine others for assault, wrongful confinement and theft. A case under sections 342/379, Indian Penal Code, was started, and after due investigation it was found to be false and declared as such by Magistrate on the 4th March, 1939.

(*h*) and (*i*) The officer in charge of the Hasnabad police-station was transferred from the police-station on the 13th April, 1939. There is nothing to indicate that his transfer was not in the ordinary interest of the service.

(*j*) No such petition is traceable from records now available.

Mr. NIHARENDU DATTA MAJUMDAR: Will the Hon'ble Minister be pleased to state whether proper enquiry was made regarding the point as to whether Gyan Chandra Panda had not continued to be the tenant in possession of the land before his hut was demolished on the particular date admitted by the Hon'ble Minister?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, that is not a question for police enquiry. That is to be decided in a court of law.

Mr. NIHARENDU DATTA MAJUMDAR: With reference to the answer (*a*)(*i*) "When this was discovered it was demolished (i.e., the shed belonging to Gyan Chandra Panda) by *naib* Jadavananda Kundu and his men, apparently in the exercise of the right of defence

of private property", what steps did the local police take with a view to stop such forcible ejectment of Gyan Chandra Panda and demolition of his shed from that land?

The Hon'ble Khwaja Sir NAZIMUDDIN: The local Police did not know of it till the thing was accomplished.

Mr. NIHARENDU DATTA MAJUMDAR: Did the Hon'ble Minister make any enquiries to find out as to what the chaukidar did when this incident was taking place at Rupamari?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DATTA MAJUMDAR: The Hon'ble Minister has answered to (*a*)(*ii*) "There is no record to indicate that a chaukidar was present at the place of occurrence". I wanted to know as to what the chaukidar was doing on that particular date, and when did he lodge complaint about this at the thana?

Mr. SPEAKER: I am sorry, that question does not arise.

Mr. NIHARENDU DATTA MAJUMDAR: That is in the question as to how soon after the occurrence did the chaukidar lodge the information at the thana that an incident of this kind had taken place at Rupamari.

Mr. SPEAKER: Where is it?

Mr. NIHARENDU DATTA MAJUMDAR: Question (*e*),— "when was this incident first recorded or otherwise taken note of by the Hasnabad thana and how many days after its occurrence?"

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the answer is already there—8th December, 1938.

Mr. NIHARENDU DATTA MAJUMDAR: Was any enquiry made with regard to the conduct of the chaukidar on that occasion?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no mention of the chaukidar there.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to enlighten us on which particular date the house was demolished?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am certainly not in a position to do that.

Mr. ATUL KRISHNA GHOSE: Was it a month before the 8th of December when Gyan Chandra Panda appeared before the Sub-Inspector of Police?

The Hon'ble Khwaja Sir NAZIMUDDIN: I expect that if this was a true case he would have appeared earlier than that.

Mr. ATUL KRISHNA GHOSE: Did the chaukidar intimate to the Sub-Inspector of Police regarding the case or it was Gyan Chandra Panda who himself intimated the matter to the Sub-Inspector of Police?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to the answers (*b*) and (*c*).

Government action on resolution passed by Third Divisional Co-operative Conference in the Chittagong Division.

***324. Mr. SYED AHMED KHAN:** (*a*) Has the attention of the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department been drawn to resolution No. 23 (passed *nem con*) of the proceedings of the Third Divisional Conference of the Co-operative Societies in the Chittagong Division, held at Comilla, on 10th and 11th April, 1938, under the Presidency of Mr. A. E. Porter, I.C.S., the then District Magistrate of Tippera, and opened by the Hon'ble Minister in charge of Co-operative Credit and Rural Indebtedness Department?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government intend to give effect to the recommendations in the resolution?

(*c*) If it is intended not to give effect to the said resolution, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) Yes.

(*b*) The principle underlying the resolution is generally followed. Administrative officers are transferred after a period of 3 to 5 years in one station.

(*c*) Does not arise.

[illegible] of Assistant Settlement Officers from Sub-Deputy and Deputy Collectors.

*325. **Mr. MD. ABUL FAZL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the present time—

(*i*) the number of ministerial staff in different Settlement offices including the office of the Director of Land Records;

(*ii*) the number of them that are—

(1) Hindus,

(2) Muslims, and

(3) Scheduled Castes;

(*iii*) the number of Assistant Settlement Officers who are in charge of each of these offices;

(*iv*) the number of them that are—

(1) Brahmans,

(2) Non-Brahman Caste Hindus,

(3) Muslims, and

(4) Scheduled Castes; and

(*v*) the period of services of those referred to in (*iv*) spent in the Settlement Department?

(*b*) Is it a fact that all the Assistant Settlement Officers have been taken from Hindu Sub-Deputy Collectors and Deputy Collectors for the district operations of Barisal and Faridpur?

(*c*) If so, will the Hon'ble Minister be pleased to state the reason thereof?

(*d*) Does the Hon'ble Minister contemplate the selection of suitable Sub-Deputy Collectors and Deputy Collectors from—

(1) Muslims and

(2) Scheduled Castes,

as Assistant Settlement Officers for the districts of Barisal and Faridpur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) A statement is laid on the table.

(*b*) No. The district (revisional) operations in Barisal and Faridpur have not been started yet.

(*c*) Does not arise.

(*d*) The selection of gazetted officers is not made on communal considerations.

Statement referred to in the reply to clause (a) of starred question No. 325.

MINISTERIAL STAFF.

Name of office.	Hindus.	Muslims.	Scheduled Castes.	Others.	Total.
Office of the Director of Land Records and Surveys, Bengal ..	14	8	Nil	2 (One Indian Christian and one Anglo-Indian.)	24
Dinajpur Settlement (Major)	128	67	Nil	Nil	195
Mymensingh Settlement (Major) ..	90	42	5	Nil	137
Howrah Settlement (Major)	3	3	Nil	Nil	6
Land Revenue Settlement Central Office ..	25	18	Nil	Nil	43
24-Parganas-Khulna and Midnapore (Minor) ..	18	12	Nil	Nil	30
Bakarganj (Minor) ..	5	2	1	Nil	8
Faridpur-Dacca (Minor) ..	10	7	Nil	Nil	17
Howrah-Hooghly (Minor) ..	3	3	Nil	Nil	6

ASSISTANT SETTLEMENT OFFICERS.

Name of settlement.	Brahman.	Non-Brahman Caste Hindus.	Muslims.	Scheduled Castes.	Period of service.		Total number of Assistant Settlement Officers.
					Y. M. D.		
Dinajpur (Major).	1	..	1	..	7 10 5	Brahman ..	2
					11 0 7	Muslim	
Mymensingh (Major).	2	2	2	..	9 2 15	Brahmans ..	6
					1 5 22		
					3 5 5	Non Brahman Caste Hindus.	
					1 5 22		
					1 1 18	Muslims.	
					2 1 21		
Howrah (Major).	..	1	1	..	12 10 14	Non-Brahman .. Caste-Hindu.	2
					0 7 0	Muslim.	
Howrah-Hooghly (Minor).	..	1	..	..	8 6 17	....	1
24-Parganas-Khulna (Minor).	1	..	1	..	15 11 28	Brahman ..	2
					2 2 18	Muslim.	
Bakarganj (Minor).	1	..	..	..	8 2 11	....	1
Faridpur (Minor).	1	..	..	..	8 10 3	....	1

Mr. MANMOHAN DAS: With regard to the appointment from the Scheduled Castes, the number is too miserable. Will the Hon'ble Minister be pleased to state whether Government think it desirable to stop the recruitment from other communities and thereby allow the Scheduled Castes an opportunity to level up their quota in proportion to the other communities?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Now that Government have laid down certain formula according to which appointments should be made, I am sure the grievances of the Scheduled Castes will be soon removed.

Distress of people of Sandwip and certain other islands due to erosion caused by the Meghna.

*326. **Mr. SYED ABDUL MAJID:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that a large number of tenants both under *zamindars* and *khas mahal* in the district of Noakhali, particularly in the islands of Char Jabbar, Sandwip, Charbada and Hatiya, have been rendered destitute on account of the erosion of their hearths and homes by the Meghna; and

(*ii*) that many of these people have no lands for—

(1) erection of their homesteads, and

(2) for cultivation for their maintenance?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate settlements of lands to deserving persons with nominal *salami*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*)(*i*) A number of persons have lost their homesteads in the areas mentioned.

(*ii*) A number of them have no land for cultivation but none of them have any difficulty in obtaining land for homesteads.

(*b*) The matter is under consideration.

Proposed transfer of a certain area round Buxa Cantonment in Jalpaiguri district to Forest Department.

*327. **Mr. KHAGENDRANATH DAS GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that several square miles of land round Buxa Cantonment area in the Jalpaiguri district which have been with the Khas Mahal Department are now being proposed to be made over to the Forest Department;

(*ii*) that there are several *bastis* (villages) of *paharis* in this area at Adma, Chunabhati, Buxa, Tazhigaon and also a Finnish Christian Mission at Chunabhati where orphan children are brought up and educated;

(*iii*) that these *basti* people pay capitation tax and also rent for the land they cultivate to the Khas Mahal Department;

(*iv*) that these people submitted representations, to the Deputy Commissioner, Jalpaiguri, against the proposed transfer of the land to the Forest Department on the ground that the Forest Department charge a rent at the rate of Rs. 15 per standard *bigha* and also levy a grazing tax of Rs. 6 per year per cow or bullock and Rs. 18 per year per buffalo;

(*v*) that there is a feeling of uneasiness amongst the local people that they would be driven out of their homes for being unable to pay these exactions;

(*vi*) that these people have been of service to the Government—

(1) when Indian troops were stationed at Buxa as Frontier Guards, and

(2) when a Detenu Camp was established there;

(*vii*) that the low lying lands round about Buxa are very unhealthy;

(*viii*) that it was suggested that the Buxa hill area should be developed as a local sanatorium; and

(*ix*) that in fact several persons have applied for plots of lands for building houses?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, are being taken on the representations of the people?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*)(*i*) Yes.

(*ii*) Besides the Mission there are some scattered *paharis* and Bhutias but there is no regular *basti*.

(*iii*) Each adult pays capitation tax of Rs. 3 to Rs. 4, in return for which he is allowed enough land for a homestead, and one acre for cultivation free of rent.

(*iv*) and (*viii*) No.

(*v*) and (*vi*) Government have no information.

(*vii*) The Western Duars generally are malarious.

(*ix*) Yes; some applications have been received.

(*b*) Does not arise.

Mr. KHAGENDRANATH DAS GUPTA: Will the Hon'ble Minister be pleased to state whether the land in question has already been made over to the Forest Department?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. ATUL CHANDRA SEN: With reference to answers (*v*) and (*vi*), will the Hon'ble Minister please say what steps he took to assess the public feeling in this respect?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, there is no feeling. Nothing was brought to Government's notice. So Government thought it was not necessary to enquire into the matter.

Leaving out of newly formed Khas Mahal char lands.

***327A. Maulana MD. MANIRUZZAMAN ISLAMABADI:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether he is aware that many newly formed khas mahal *char* lands are leased out before being fit for cultivation?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) when *jote* No. 9 of *mauza* Chota Kumira under police-station Sitakunda, in the district of Chittagong was leased out;

(*ii*) the year from which the rent and cess are being realised; and

(*iii*) what is the total amount of rent and cess realised since the creation of the *jote*?

(*c*) Is it a fact that during the last six months local enquiries were made by two Khas Tahsildars in the matter?

(*d*) If so, have they submitted any report?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state whether their report has been accepted by the Khas Mahal Officer?

(*f*) If not, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No newly formed *char* lands are leased out on a permanent basis before being fit for cultivation, but only temporary settlement is given for grazing.

(*b*) (*i*) and (*ii*) 1st April, 1929.

	Rs.	a.	p.
(*iii*) Rent	1,209	8	0
Cess	37	12	9

(*c*) and (*d*) Yes.

(*e*) Yes. Remission of rent for the current year has been sanctioned.

(*f*) Does not arise.

Free primary education in Pabna.

***327B. Mr. ABDUR RASCHID MAHMOOD:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state when do the Government propose to introduce free primary education in the district of Pabna?

(*b*) Is it a fact that the District Board, Pabna, District School Board, Pabna, and the Union Board Associations, Pabna and Sirajganj, have passed resolutions requesting the Government to levy education cess in the district of Pabna?

(*c*) Do the Government propose to levy education cess in the district of Pabna?

(*d*) If so, when?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Free primary education cannot be introduced until the education cess is reimposed in the district.

(*b*) The District School Board, Pabna, has passed such a resolution. I have no information in regard to similar resolutions of other bodies.

(*c*) Yes.

(*d*) With effect from the 1st Sraban, 1347 B.S.

Recruitment of typists for Secretariat by competitive examination.

***327C. Mr. SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether a competitive examination was held after advertisement by the Public Service Commission in December, 1937, for the purpose of recruiting typists for Bengal Secretariat and attached offices?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a list of the names, in order of merit, of the candidates who passed the said examination, showing—

(*i*) who have been recruited to permanent posts; and

(*ii*) who have been given temporary employment, together with the respective dates;

(*iii*) names of the office of their employment, and

(*iv*) the respective periods of such employment?

(c) Is it a fact that one such competitive examination was held in August, 1937?

(d) If so, will the Hon'ble Minister be pleased to state whether all the candidates who passed the examination held in August, 1937, were absorbed before the aforesaid examination held in December, 1937, was conducted by the Public Service Commission?

(e) Is it also a fact that another competitive examination for the aforesaid purpose was held in the year 1939 amongst Muslim candidates only?

(f) If so, will the Hon'ble Minister be pleased to state the reasons for holding such examination before absorbing the Hindu candidates who passed the examination held in December, 1937?

(g) Is it a fact that the list of the Hindu candidates who passed the competitive examination held in December, 1937, will be cancelled in the course of a few months?

(h) If so, do the Government contemplate the desirability of providing the unemployed amongst those successful Hindu candidates before the list is cancelled?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (a) An examination was held for recruitment of typists for the Secretariat only.

(b) A statement is laid on the Library table.

(c) Yes.

(d) All except two who declined to accept employment in temporary posts.

(e) An examination was held in January, 1939, for Muslims, backward classes and minority communities.

(f) There were not sufficient successful candidates belonging to the Muslim or minority communities or to the backward classes in the examination held in 1937 to fill the vacancies reserved under the rules for these communities.

(g) The list of candidates eligible for appointment as a result of the examination held in December, 1937, will be cancelled in December, 1940.

(h) No.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what are the reasons why all Hindu candidates were

given temporary appointments and none of them were given permanent appointments and also why all Muslim candidates were given permanent appointments?

The Hon'ble Mr. H. S. SUHRAWARDY: Looking through the lists I find that Muslims have been given appointments on probation. I understand that this is due to the fact that on the records as they stand at present there are hardly any Muslim typists in employment.

Staff in the office of the Administrator-General and Official Trustee of Bengal.

*327D. **Maulana MD. ABDUL AZIZ:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement (showing grade by grade)—

(*i*) the number of employees that are in the Offices of the Administrator-General and Official Trustee of Bengal;

(*ii*) the number of them that are—

(1) Muslims, and

(2) Hindus?

(*b*) Will the Hon'ble Minister be pleased to state how many lower grade assistants have been promoted to upper grades in the said office from April, 1939, to February, 1940?

(*c*) How many of such promotions have been given to—

(1) Hindus; and

(2) Muslims?

(*d*) What steps do the Government propose taking for the observance of the communal ratio in service in the said office both in case of new appointments and promotions?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) to (*c*) A statement is laid on the table.

(*d*) The question of recruitment to clerical posts in this office is already engaging the attention of Government and the orders which it is proposed to be issued will, it is hoped, secure the observance of the communal ratio decision, and increase the percentage of Muslims in the upper and lower grades. Promotions must, however, be based on merit, with due regard to seniority.

Statement referred to in reply to clauses (a) to (c) of starred question No. 327D.

(a) (i)

Grade I Rs. 250—20—350	3
Grade II Rs. 175—10—225	4
Grade III Rs. 110—10—160	9
Scale—	
Rs. 40—5/2—100	46
Rs. 40—5/2—75—3/2—90	20
Rs. 80—5/2—105—10/2—155 (Stenographer)	1
Vacant in Rs. 40—90	2
Total ..	85

(ii) (1) Muslims—

Grade I Rs. 250—20—350	Nil
Grade II Rs. 175—10—225	Nil
Grade III Rs. 110—10—160	Nil
Scale Rs. 40—5/2—100	6
Scale Rs. 40—5/2—75—3/2—90	7
Scale Rs. 80—5/2—105—10/2—155	Nil

(2) Hindus—

Grade I Rs. 250—20—350	3
Grade II Rs. 175—10—225	4
Grade III Rs. 110—10—160	9
Scale Rs. 40—5/2—100	46
Scale Rs. 40—5/2—75—3/2—90	13
Scale Rs. 80—5/2—105—10/2—155	1
Total ..	83

(b) Three lower grade assistants from time scale Rs. 40—5/2—10 have been promoted to Grade III Rs. 110—10—160.

(c) (1) Hindus	3
(2) Muslims	Nil.

Copies of Government circulars with reference to the supplementary question asked in connection with the starred question No. 279 on the 1st April, 1940, regarding principles followed in delimitation of district board constituencies have been laid on the Library Table.

Mr. SPEAKER: Questions over. We will now take up th Tenancy Bill.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that fiv minutes more be allowed to answer a very important short-notic question given notice of by the European Group, namely, No. 287A?

Mr. SPEAKER: That may be taken up to-morrow.

Adjournment motion.

Mr. SPEAKER: We shall now take up the Bengal Tenanc (Third Amendment) Bill, 1939.

Sir Bijoy, will you please move the motion that stands in you name?

(The Hon'ble Sir Bijoy Prasad Singh Roy rose to speak.)

Mr. SANTOSH KUMAR BASU: Sir, I have got an adjournmen motion.

Mr. SPEAKER: I am sorry, but you ought to have risen as soo as I declared that the questions were over.

Mr. SANTOSH KUMAR BASU: I did not know, Sir, that th questions were over. Dr. Sanyal asked for five minutes' further tim for questions, and I thought that the discussion was going on on tha point.

Mr. SPEAKER: No, I told Dr. Sanyal that the question would b taken up to-morrow. I was surprised that you did not rise immediately after that.

Mr. SANTOSH KUMAR BASU: I thought that you were considering the question as to whether five minutes' more time should be granted or not.

Mr. SPEAKER: Leaving that aside, I looked round, but you did not rise.

Mr. SANTOSH KUMAR BASU: Sir, there was some room fo misapprehension on my part. Under the circumstances, will you kindly allow me to move this adjournment motion?

Mr. SPEAKER: All right. But if Sir Bijoy had moved his motion, I would not have allowed it.

Mr. SANTOSH KUMAR BASU: I have got your consent already. May I read it out?

Mr. SPEAKER: Yes.

Mr. SANTOSH KUMAR BASU: It runs as follows:—

"That the business of the Assembly do stand adjourned to consider a definite matter of urgent public importance and of recent occurrence, namely, the action of the Government in issuing an order to all Printers, Publishers and Editors in Bengal which was published in the *Calcutta Gazette Extraordinary*, dated Friday, April 5, 1940, prohibiting absolutely the printing or publishing within the province of Bengal of any document described or referred to in the said order."

Mr. SPEAKER: I would ask Sir Nazimuddin whether he has got anything to say about its admissibility.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I maintain that this question has already been discussed during this session in this House. I refer to Assembly Proceedings, Volume LVI, No. 1, page 297. I will read out the passage:—

"MR. SPEAKER: Mr. Basu, I want to be clear on this point, namely, you want to raise it on the issue that it is an abuse of powers under the Defence of India Act. Is that the issue?

"MR. SANTOSH KUMAR BASU: That is one of the issues certainly.

"MR. SPEAKER: I do not think that you can raise too many issues."

I maintain that as far as the policy and this question of application of the Defence of India Act are concerned, that has been discussed more than once in this House, and special orders under the Defence of India Act concerning newspapers were discussed, and it is clear from the reply given to your query by Mr. Santosh Kumar Basu.

Now, Sir, I maintain that once that is the law of the land and Government applies the law of the land, that cannot create any situation. For example, Sir, if the Government were to impose primary education cess in a particular district and supposing some people maintain that this imposition of cess has created a situation—(Laughter from Opposition Benches.)—it is not a matter of laughing.

Representations were made to Government from certain districts where it was imposed that it had created a situation, though actually an adjournment motion was not moved. But I maintain, Sir, that Government gave effect to certain rights that they have under the law of the land, and therefore that cannot be a subject-matter of discussion. That is my second point, Sir.

My first point is that this question has been discussed more than once.

Mr. SARAT CHANDRA BOSE: What was the particular matter there?

The Hon'ble Khwaja Sir NAZIMUDDIN: That was an adjournment motion over——

Mr. SARAT CHANDRA BOSE: An editorial article?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think so.

Mr. SPEAKER: Mr. Basu, will you reply to the points raised by Sir Nazimuddin?

Mr. SANTOSH KUMAR BASU: Sir, the question that has been raised by the Hon'ble the Home Minister resolves itself into two parts. First of all, he contends that question as to the application of the Defence of India Rules in connection with publications in newspapers has already been discussed in this House. To that my answer is that the proceedings of the Assembly to which reference has just now been made by the Hon'ble the Home Minister related to the prohibition of publication of editorial articles in one particular newspaper without submitting them to the previous scrutiny of the Government or a particular officer of the Government. So far as this matter which is now sought to be raised in this adjournment motion is concerned, well, it is so comprehensive that it applies to all printers, publishers and editors in Bengal and it prohibits the printing or publication within the province of any document containing a reference by way of statement, advertisement, notice, news, comment or otherwise and the whole or any part of any programme for the so-called "National Week, 1940" issued by or on behalf of the suspended Bengal Provincial Congress Committee—not only that—but by any body affiliated thereto or connected therewith or any document containing a reference by way of statement, etc., to Mr. Subhas Chandra Bose and Swami Sahajananda or either of them or any organisation with which they are connected or any programme identical with, or based on, or substantially similar to, or reproduction of part or the whole of, any

such programme. It does not stop there. It also goes further and relates to any procession, meeting, assembly or demonstration held, speech delivered, or thing done or omitted to be done in connection or in accordance with or for the furtherance of any programme referred to in sub-clause (*a*) or part of such programme. It does not stop there either. It proceeds further and says that any document containing a reference by way of comment to this order will also be prohibited. By one comprehensive sweep it seeks to bring within its purview anything and everything which might happen in connection with the National Week programme for 1940 connected with certain bodies or certain individuals.

Mr. SPEAKER: I want to know what you want to discuss.

Mr. SANTOSH KUMAR BASU: I want to discuss the specific order, in so far as it seeks to apply to all these persons, organisations and newspapers.

Mr. SPEAKER: Your position is: "I condemn this action of Government in applying this order to newspapers."

Mr. SANTOSH KUMAR BASU: Yes, I do that.

Mr. SPEAKER: But you cannot raise the issue of abuse of power or curtailing the liberty of the press.

Mr. SANTOSH KUMAR BASU: Sir, the previous discussion was not so comprehensive or it did not lead to a matter as comprehensive as the present one.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I would refer you to the speech delivered by the Leader of the Opposition as reported in the official proceedings, Volume LVI, No. 1, pages 138 to 141. From there you will find that the Leader of the Opposition there made an issue so wide and so comprehensive that there is nothing more that can now be discussed.

Mr. SPEAKER: That is exactly the point. I want to know from Mr. Basu whether he wants to discuss this order itself, irrespective of the right of Government to issue the order.

Mr. SANTOSH KUMAR BASU: Apart from the inconvenience caused to the newspaper reading public—I, for instance, may not go to any of these meetings which have been banned but I have every right

to learn what is happening in this matter, and Government have no right to stop the publication of what happens in these meetings.

Mr. SPEAKER: What I must tell you is that you cannot discuss the action of Government as an instance of the abuse of power in curtailing the liberty of the press. That is absolutely barred.

Mr. SANTOSH KUMAR BASU: I do not of course know how it can be absolutely barred, but I do not quarrel with you on this point.

Mr. SPEAKER: Will you please look to Rule 98 (*iii*) of the Rules of this House which says that "the motion must not revive discussion on a matter which has been discussed in the same session"? If you also look to page 297, Volume LVI, No. 1, regarding the last adjournment motion on the *Hindusthan Standard* you will see that I said that the only matter for which this motion can be brought would be about "the abuse of power for curtailing the liberty of the press." That was the issue in that adjournment motion.

Mr. SANTOSH KUMAR BASU: But, Sir, may I just point out that that particular order related to the prohibition of editorial articles in one particular paper which were not previously submitted to the scrutiny of Government or of its officers? Here the matter goes much beyond that; this is an altogether different matter. If you will look to the second part of this order, you will find that "any document containing a reference by way of comment to this order" is also prohibited. That was not the case with the previous adjournment motion. I wonder whether even the proceedings of this Assembly can be reported in the newspapers with regard to this matter. So the present order goes much beyond what was contained in the previous order.

Mr. SPEAKER: I must bring home to you that you are in this unfortunate position that you cannot discuss the applicability of the Defence of India Rules so far as Government's power to promulgate those orders is concerned. For, in that case we would be discussing the same matter twice in the same session, which as I have pointed out, is barred to you.

Rai HARENDRA NATH CHAUDHURI: We do not want to do that, Sir. This is a different matter altogether.

Dr. NALINAKSHA SANYAL: Do we discuss generally the applicability to rules in all cases? In fact the rules quoted are different. There are more than 200 different rules in the Defence of

India Act Rules. We might have discussed the applicability of a particular rule in relation to a particular kind of incident, but this does not rule out discussion of all the rules.

Mr. SPEAKER: May I ask Mr. Basu if he wants to raise in his adjournment motion any question about the right of Government to issue such an order?

Rai HARENDRA NATH CHAUDHURI: No, Sir, that is not the point at issue at all.

Mr. SPEAKER: That is what I want to be clear on in regard to this matter.

Mr. SANTOSH KUMAR BASU: I have not raised the question of Government's right at all, but have only raised the question of the application of the rules in this particular case. I have only referred to the action of Government, and I have framed my resolution in that way.

Mr. NIHARENDU DUTTA MAZUMDAR: In a former motion we discussed the curtailment of the liberty of the press but in this case it is a complete suppression of all news.

Mr. SPEAKER: I do not think I should allow a general discussion on this matter as I have a bitter experience of this. I therefore take it that this adjournment motion is proposed to be discussed on the basis of the action itself and not on the basis of the existence of a right or want of right on the part of Government. So you see Sir Nazimuddin, Mr. Basu says—and I do not deny—that he will not discuss the question of Government's right or about the curtailment of the liberty of the press. Have you anything to say against this?

The Hon'ble Khwaja Sir NAZIMUDDIN: I consider on principle that this is not a matter which should be discussed in an adjournment motion. Of course it is for you to decide finally.

Mr. SPEAKER: In view of the narrow issue of the term which has been used by Mr. Basu in his motion I have to hold that his motion is in order, for the reason that, as I have already made clear, this motion cannot be discussed on the plane that this is an abuse of power for curtailing the liberty of the press. This cannot be discussed —it must be understood—the only thing that can be discussed is on the basis of the act itself—whether it is right or wrong. After all, the right of Government is one thing and the act itself and its

consequences are quite different things. So having regard to the narrow issue raised I have to hold that the motion is in order. I have therefore to find out now whether there are a sufficient number of members who are in support of this motion being discussed. Will the honourable members please rise in their places?

(After a pause when the Secretary counted the number.)

As I find that more than 50 members have risen in support of this adjournment motion I hold that the motion is in order. As regards the time I shall fix it a bit later. We will now take up the Tenancy Amendment Bill.

GOVERNMENT BILL.

The Bengal Tenancy (Third Amendment) Bill, 1939, as passed with amendments by the Bengal Legislative Council.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I beg to move that the amendments made by the Bengal Legislative Council in the Bengal Tenancy (Third Amendment) Bill, 1939, be taken into consideration.

The motion was put and agreed to.

Mr. SPEAKER: Amendment No. 12 in the name of Mr. Surendra Nath Biswas is not in order.

Mr. SURENDRA NATH BISWAS: Sir, I want to submit that it is in order. I want to give the same relief to the mortgagor by my amendment, but not in the way in which the amendment passed by the Upper House proposes to give. If you kindly go through the proposed sub-section (9) as proposed in the Upper House you will find that in respect of a mortgage by conditional sale the mortgagor has been given the right under sub-section (9) (*a*) that he may at any time institute a suit for a declaration that the original principal together with all interests due thereon has been extinguished by the profits arising from the land in respect of which and subsequent to the date on which possession was so delivered and for recovery of possession of the mortgaged property. In this connection, if you will kindly go through the amendments made by the Assembly in clause 2——

Mr. SPEAKER: I do not want to say as to whether the amendments made by the Upper House are within the scope of the Bill.

Mr. SURENDRA NATH BISWAS: I do not say anything on that point, Sir. You will see from sub-clause (*1*) of clause 3 that by this Bill section 26 (*g*) has been amended to cover in sub-section (*1*) (*a*) of section 26 (*g*) every kind of mortgage subsisting on or after 31st August, 1937. But by the amendment which was passed by the Assembly in 1938 the mortgage referred to in that section included usufructuary mortgages only. The section has now been amended to include all mortgages including mortgage by conditional sale, in which possession was delivered to the mortgagee. Now, Sir, the effect has been that a mortgage by conditional sale will not subsist for more than fifteen years. This has been accepted.

Mr. SPEAKER: Accepted by the Assembly or the Council?

Mr. SURENDRA NATH BISWAS: Both by the Assembly and the Council.

Mr. SPEAKER: Therefore, you want to bring in this amendment as a consequence?

Mr. SURENDRA NATH BISWAS: Yes, some sort of consequential amendment. Moreover, the relief that is wanted to be given to the mortgagor by sub-section (*9*) is rather complicated. It cannot be possible without the mortgagee——

Mr. SPEAKER: You have my fullest sympathy, but I am sorry to say that the amendment is not in order.

Clause 3.

Mr. MD. ABUL FAZL: Sir, I beg to move that in clause 3 (*5*), original sub-section (*7*) of section 26G be reinstated.

Mr. MAQBUL HOSSAIN: Sir, I beg to move that in clause 3 (*5*) in the proviso to proposed sub-section (*7*) of section 26G, line 4, for the word "twelve" the word "three" be substituted.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 3 (*5*), proposed sub-sections (*9*) to (*14*) of section 26G be omitted.

Mr. MD. ABUL FAZL: Sir, I beg to move that in clause 3 (*5*) the proposed sub-section (*9*) of section 26G be omitted.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 3 (*5*) in proposed sub-section (*9*) of section 26G, line 3, the words "by conditional sale" be omitted.

Mr. MAQBUL HOSSAIN: Sir, I beg to move that in clause 3 (*5*) in proposed sub-section (*9*) of section 26G, in line 3, after the words "conditional sale" the words "or any other mortgage" be inserted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in sub-clause (*5*) of clause 3 in clause (*a*) of the proposed sub-section (*9*) of section 26G, in line 1, after the words "at any time", the words "before a decree for foreclosure in respect of the mortgage shall have been passed by the Court" be inserted.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 3 (*5*), paragraph (*b*) of the proposed sub-section (*9*) of section 26G be omitted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in sub-clause (*5*) of clause 3, in clause (*b*) of the proposed sub-section (*9*) of section 26G, in lines 2 and 3, for the words beginning with "fifteen years" and ending with "mortgage" the following words be substituted, namely:—

"the due date as fixed in the deed of mortgage for repayment of the mortgage debt."

Mr. SHAHEDALI: Sir, I beg to move that in clause 3 (*5*) to the proposed sub-section (*9*) of section 26G, the following proviso be added namely:—

"Provided that after the expiry of fifteen years from the date of the execution of the mortgage deed the mortgagee will be considered a trespasser in respect of the mortgaged properties without bringing a suit as provided in sub-section (*9*) (*b*)."

Mr. SURENDRA NATH BISWAS: Before you pass on to amendment Nos. 55-61, I think we should discuss sub-section (*9*).

Mr. SPEAKER: We must take the section as it is.

Mr. RAMIZUDDIN AHMED: Sir, I beg to move that in clause 3 (*5*) the proposed sub-section (*10*) of section 26G be omitted.

Mr. MAQBUL HOSSAIN: Sir, I beg to move that in clause 3(*5*) in the proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "one" be substituted.

Mr. ISWAR CHANDRA MAL: Sir, I beg to move that in clause 3 (*5*) in proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the words "four and half" be substituted.

Mr. MD. ABUL FAZL: Sir, I beg to move that in clause 3 (*5*), in the proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "five" be substituted.

I also beg to move that in clause 3 (*5*) in proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "six" be substituted.

Mr. MAQBUL HOSSAIN: Sir, I beg to move that in clause 3(*5*) in proposed sub-section (*10*) of section 26G, in line 7, for the word "eight" the words "three annas" be substituted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in clause 3 (*5*) in the proposed sub-section (*10*) of section 26G, after the words "per annum" at the end, the following words be added, namely :—

"and the mortgagee's costs of the suit for foreclosure, if any, such suit has been instituted by the mortgagee in respect of the mortgage before getting notice of the suit instituted by the mortgagor under sub-section (*9*)."

Mr. ASIMUDDIN AHMED: Sir, I beg to move that in clause 3 (*5*) the proposed sub-section (*11*) of section 26G, be omitted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in sub-clause (*5*) of clause 3 in the proposed sub-section (*11*) of section 26G, in line 3, after the word "thereon" the words "and the costs, if any, as referred to in sub-section (*10*)" be inserted.

Sir, I also beg to move that in sub-clause (*5*) of clause 3, in the proposed sub-section (*11*) of section 26G, in line 4, the words "or by any other means" be omitted.

Mr. ASIMUDDIN AHMED: Sir, I beg to move that in clause 3 (*5*) the proposed sub-section (*12*) of section 26G, be omitted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in sub-clause (*5*) of clause 3, in the proposed sub-section (*12*) of section 26G, line 4, the words "or by any other means" be omitted.

Mr. ASIMUDDIN AHMED: I beg to move that in clause 3 (*5*), in proposed sub-section (*12*) of section 26G, lines 8-9, for the words "a reasonable period" the words "fifteen years' time" be substituted.

Mr. SURENDRA NATH BISWAS: I beg to move that in sub-clause (*5*) of clause 3 after the proposed sub-section (*12*) of section 26G, the following explanation be inserted, namely:—

"*Explanation.*—The word 'profits' as referred to in sub-sections (*9*), (*10*), (*11*) and (*12*) means net profits calculated after deducting from the market value of the crops produced in the mortgaged land and harvested by the mortgagee the costs of cultivation of the mortgaged land and other costs of production of and those of harvesting the crops produced therein and also the amount of rent and cess paid by the mortgagee for the mortgaged property."

Mr. RAMIZUDDIN AHMED: I beg to move that in clause 3 (*5*), the proposed sub-sections (*13*) and (*14*) of section 26G be omitted.

Mr. SURENDRA NATH BISWAS: I beg to move that in sub-clause (*5*) of clause 3, for the proposed sub-sections (*13*) and (*14*) of section 26G, the following sub-section be substituted, namely:—

"(*13*) Any decree passed by any Court under sub-section (*11*) or sub-section (*12*) shall be subject to the provisions of the Code of Civil Procedure, 1908, in respect of appeal, revision or review."

Mr. DHIRENDRA NATH DATTA: I beg to move that in clause 3 (*5*), the proposed sub-section (*13*) of section 26G be omitted.

I also beg to move that in clause 3 (*5*), in proposed sub-section (*13*) of section 26G, the words, figures and brackets "or sub-section (*12*)" be omitted.

Mr. ASIMUDDIN AHMED: I beg to move that in clause 3 (*5*), proposed sub-section (*14*) of section 26G be omitted.

Mr. DHIRENDRA NATH DATTA: I beg to move that in clause 3 (*5*), in proposed sub-section (*14*) of section 26G, line 2, the words, figures and brackets "or sub-section (*12*)" be omitted.

Mr. SURENDRA NATH BISWAS: Sir, may I submit that the discussion may take place sub-section by sub-section?

Mr. SPEAKER: The whole clause stands as one whole and deals with several sub-clauses. So the discussion should take place on the whole clause.

Mr. SURENDRA NATH BISWAS: Sir, may I suggest that if the sub-clauses are taken up one by one, movers of amendments on a particular sub-clause will be able to confine their arguments on that sub-clause only——

Mr. SPEAKER: I may say that one member has proposed omission, another has proposed substitution and a third member has proposed a change in the language. So, I think, it would be better to take up the section as a whole for discussion. This will simplify matters.

The matter is now open to general discussion.

Mr. DHIRENDRA NATH DATTA: Sir, the point for consideration is that in the original Bill as passed by the Assembly——

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I know on which particular amendment the honourable member is speaking?

Mr. DHIRENDRA NATH DATTA: Sir, I am speaking on all the amendments that have been moved by me.

Sir, the original Bill as passed by the Assembly stands on one footing and all forms of mortgage in which possession was delivered to the mortgagee stand on the same footing. Here, owing to the amendment passed by the Council, an advantageous position has been given to the mortgagee by conditional sale. It has been laid down that the mortgagee by conditional sale, after an expiry of 15 years, will be entitled to institute suits to show that debt has not been satisfied by possession for 15 years. He will be entitled to show that after possession for 15 years, something still remains due if the calculation be made at the rate of 8 per cent. per annum by way of interest. So, that is an advantageous position which has been given to the mortgagee by conditional sale. We do not see any reason for such distinction. All mortgages in which possession has been delivered to the mortgagee should stand on the same footing. There is no reason why a mortgagee by conditional sale should be given such advantage and put in a separate class.

Then, Sir, my first suggestion is to omit the proposed sub-sections (*9*) to (*14*). If the sub-sections remain, we propose that the rate of interest should be reduced from 10 per cent. to 4½ per cent. and from this side of the House, we have proposed that if 4½ per cent. be deemed to be very low, the rate of interest may be reduced to at least 6½ per cent. It may be contended by Government that under the Money-lenders Act, it has been laid down that the rate of interest on secured debts should be 8 per cent. per annum. But there is a distinction between a mortgage in which possession has been delivered and in other forms of mortgage. The distinction is there so far as the mortgagee to whom delivery of possession has been given is concerned, because in his case realisation of interest becomes sure. He is entitled to realise interest by sowing crops and

thus he can enjoy profit and thereby realise interest. So, in his case, the rate of interest should be reduced. My submission to the members on the other side is that if they are really solicitous for the interests of debtors, the rate of interest should certainly be reduced to 6 per cent. instead of 8 per cent. Sir, I hope Government will accept this moderate rate of interest which has been suggested in the amendment. The other amendments moved by me are really consequential. If the proposed sub-section 12 be deleted, then the proposed sub-sections 13 and 14 will necessarily go out.

Sir, before I sit down, I want to say something about sub-section (*12*). It has been stated that in a suit instituted under sub-section (*9*), if the Court is satisfied that the original principal still remains due, it will be entitled to pass a decree and not only that, it will be entitled to give a reasonable period. Sir, with regard to that, there are certain amendments. "A reasonable period" is a very vague term, and it is left to the discretion of the Court to decide it. Now, all the Courts do not exercise the same discretion. So the reasonable period must be fixed. In our view, the reasonable period should not be less than 10 years. We are fully conscious of the fact that we are here for scaling down debts and for giving opportunities to debtors to pay off debts. In the case of debts which will be settled by Debt Settlement Boards, they are inclined to give a large number of instalments. So, this matter should not be left to the discretion of the Court to ascertain. Our view is that the period should not be less than 10 years. This is the special feature of the proposed sub-section (*12*).

Sir, this is all I have got to say with regard to these amendments, and I hope, these amendments will be accepted by the members of the other side of the House—I mean the members of the Coalition Party—who profess to be solicitous for the interests of debtors. If they are really solicitous for the interests of debtors, they must reduce the rate of interest and they should not make any distinction between a mortgage on conditional sale and other forms of mortgage. With these few words, I commend my amendments to the acceptance of the House.

Mr. SURENDRA NATH BISWAS: Sir, I would like to speak first in support of my amendment No. 41. Sir, my amendment relates to sub-clause (*a*) of the proposed sub-section (*9*). In that clause (*a*) it is provided that the mortgagor may at any time institute a suit for a declaration that the original principal together with all interest due thereon has been extinguished by the profits. Now, Sir, by my amendment I want to make a limitation to that time. I want to provide that the mortgagor may at any time before a decree for foreclosure in respect of the mortgage shall have been passed by the Court institute a suit. Sir, you will find from the provisions of the proposed

sub-sections (*9*), (*10*), (*11*) and (*12*) that it has been suggested that the mortgagor or the mortgagee may at any time institute a suit for having their dues, principal and interest (dues have been specified there as principal and interest) being extinguished by the profits of the land in possession of the mortgagee. But supposing a mortgagor institutes such a suit after the mortgagee has instituted a suit for foreclosure, the question arises whether the mortgagee will be entitled to get the cost of his suit for foreclosure. In all fairness he should get the costs. But in view of the proposed sub-section (*9*) the Court will not entertain that suit for foreclosure any longer but will proceed with the suit under the proposed sub-section (*9*). The Court will not go to find whether anything beyond the principal and interest due to the mortgagee has been extinguished by the profits that he has derived from the land while he was in possession thereof. I am, therefore, opposed to allow the mortgagor to institute a suit under the proposed sub-section (*9*) after the mortgagee has instituted a suit for foreclosure which he is entitled to do under the terms of agreement entered into with the mortgagor. It will be very much iniquitous if he does not get the cost of the suit. The sub-section (*9*) as it stands will be very much detrimental to his interest for no fault of his. Sir, equity demands that the mortgagee should get all his dues, the principal and interest due under the mortgage as well as the costs he has been outpocketed for instituting a suit for foreclosure which he has a right to do. It will be highly iniquitous to deny him that. By my amendment I propose to remove that inequity. This is my argument as regards amendment No. 41.

Now, Sir, I come to amendment No. 51. This relates to clause (*b*) of the proposed sub-section (*9*). In clause (*b*) it is provided that the mortgagee may at any time after the expiry of 15 years from the date of the instrument creating the mortgage institute a suit for a declaration that the original principal together with all interest due thereon has not been extinguished. Sir, mark the words "at any time after the expiry of 15 years." Sir, it goes absolutely against the amendment which has been accepted in sub-clause 1 of clause (*3*). The spirit of the amendment of section 26G [*vide* sub-clause (*1*) of clause 3] was that every mortgage including a mortgage by conditional sale entered into by an occupancy *raiyat* in respect of his holding or a portion thereof in which possession of land has been delivered to the mortgagee shall be extinguished after the expiry of 15 years. So, the mortgagee's right in a conditional sale will be extinguished after the expiry of 15 years. If that has once been provided, how can this Legislature again provide in clause (*b*) of the proposed sub-section (*9*) that the mortgagee may at any time after the expiry of 15 years from the date of the instrument creating the mortgage, institute a suit for a declaration that the original principal together

with all interest due thereon has not been extinguished? These are contradictory to each other. Sir, in order to remove this anomaly and also to give a legal as well as a reasonable colour to the desired amendment, I have proposed that the mortgagee may at any time after the due date as fixed in the deed of mortgage for repayment of the mortgage debt shall be entitled to bring a suit. The time has been limited by my amendment. If my amendment is accepted, Sir, then the mortgagee's right to institute a suit after the expiry of 15 years as proposed in clause (*b*) will not come in. His right will be extinguished under the accepted amendment which is embodied in sub-clause (*1*) of clause 3. But within the period of that 15 years the mortgagee may bring a suit for such a declaration, of course, after the due date as fixed in the mortgage deed. This is my argument with regard to amendment No. 51.

Now, Sir, I am coming to amendment No. 80. This relates to the proposed sub-section (*10*). In the proposed sub-section (*10*), Sir, it is provided that in any suit instituted under sub-section (*9*) the Court may, if it thinks fit, reopen any transaction relating to the mortgage for the purpose of ascertaining whether the mortgagee in possession has derived from the mortgaged property profits sufficient to extinguish the original principal, together with simple interest thereon calculated at the rate of 8 per cent. per annum. That is, it is contemplated that the mortgagee will get only his principal and interest but not the cost of suit for foreclosure if he has instituted any such suit before the mortgagor has instituted a suit under clause (*a*) of the proposed sub-section (*9*). So, Sir, I submit in all fairness and equity the mortgagee should be entitled to the cost of the suit for foreclosure if he has started any before the mortgagor has filed his suit under clause 9, and for that purpose, Sir, I have moved my amendment.

Now, Sir, I am coming to amendment No. 92. That is almost a consequential amendment. If my amendment No. 80 is accepted, No. 92 should also be accepted. Because amendment No. 92 relates to the proposed sub-section (*1*) wherein it has been provided that "in any suit instituted under sub-section (*9*), if the Court is satisfied that the original principal, together with all interest due thereon, has been extinguished by the profits arising from the mortgaged property or by any other means, it shall make a declaration to this effect and shall pass a decree restoring possession of the mortgaged property to the mortgagor." So in this connection also, Sir, I would like to submit that if in the meantime the mortgagee has instituted a suit for foreclosure, he should get his cost. In order that he may get the cost, the Court should see whether the profits cover the amount of the costs also.

Now, Sir, I come to amendment No. 93 and amendment No. 103 together. Sir, by these two amendments I have asked to delete the words "or by any other means" from the proposed sub-section (*11*) and the proposed sub-section (*12*). Sir, the proposed sub-section (*11*) comes as a matter of procedure in the suit instituted under sub-section (*9*). In the suit, under the proposed sub-section (*9*), the mortgagor will institute a suit to have it declared that the principal and interest have been extinguished by the profits only. That is, he will ask the Court to find whether the profits have been sufficient enough to extinguish the principal and interest. If the Court finds that the profits have not been sufficient to extinguish the principal and interest, it will proceed under other sections.

Now, Sir, under these circumstances, the inclusion of the words "by any other means" does not stand to reason, and they are absolutely irrelevant. How can the Court find under sub-sections (*11*) and (*12*) that the principal and interest have been extinguished "by any other means"? The Court has no jurisdiction to make a finding like that, because the Court will be confined to decide the issue whether the profits have been sufficient enough to extinguish the principal and interest. He will have to find whether the principal and interest have been extinguished by profits and profits alone. So it will be absolutely irrelevant and illegal for the Court to raise any other issue. With these words, I commend all my amendments for acceptance by the House.

Mr. SPEAKER: Mr. Biswas, your time is up.

Now, before adjourning for prayer I may say that in consultation with the different parties I have decided, without making any precedent in any way, that the adjournment motion will be taken up to-morrow some time after the questions. The actual time will be announced when I adjourn the House to-day.

Dr. NALINAKSHA SANYAL: Why not take it up to-day?

Mr. SPEAKER: In that case you will spoil your dinner to-day. (Laughter.)

Rai HARENDRA NATH CHAUDHURI: Will there be any business of the House adjourned till to-morrow?

Mr. SPEAKER: I will look into it.

Mr. SURENDRA NATH BISWAS: Sir, will you cut short the time?

Mr. SPEAKER: I have already cut short the time. We are likely to go on at least till 7-30 p.m. After that there will be hardly any time before dinner. The best way, I think, is to meet to-morrow.

Dr. NALINAKSHA SANYAL: In that event may I request you, Sir, to take up the adjournment motion to-day, because under the rule not more than one adjournment motion can be taken up on one day. And who knows that to-morrow there will not be another adjournment motion? (Laughter.)

Mr. SPEAKER: Let us hope for the best. (Laughter.) In any case, I have consulted the leader of your group as well as others, and they have all agreed that the adjournment motion should be taken up to-morrow.

(The House was then adjourned for 20 minutes.)

(After adjournment.)

Mr. SURENDRA NATH BISWAS: Sir,——

Mr. SPEAKER: Mr. Biswas, you have already finished.

Mr. SURENDRA NATH BISWAS: No, Sir, I have not. I shall be very brief, Sir.

With regard to amendment No. 111, I want a definition of the word "profits." It has been provided, Sir, in the proposed sub-section *(9)*, *(10)*, *(11)* and *(12)* that the mortgagor or the mortgagee may bring a suit for a declaration whether the principal and interest due under the mortgage have been extinguished by the profits. Sir, in the absence of any definition of the word "profits", it will be very difficult for the Court to come to a finding whether the principal and interest have or have not been extinguished. But, Sir, what is a profit? In commercial matters the word "profit" is defined in one way and in other matters in another way. Sir, what meaning will a Court take with regard to this word "profit," while deciding whether any profit has been derived from the land? So I submit my amendment should be accepted. If it is accepted, then the word "profit" will be found clearly defined in the Act. It will mean the profits calculated after deducting from the market value of the crop produced in a mortgaged land and harvested by the mortgagee, the cost of cultivation of the mortgaged land and other costs of production of and those of harvesting the crop produced therein and also the amount of rent and cess paid by the mortgagee for the mortgaged property. The items which I want to be deducted from the value of the crops produced in the mortgaged land

are the items which should be deducted to find out the profits. The costs of cultivation are items for which the mortgagee has been out of pocket and so also are the rent and cess that the mortgagee has paid with regard to the mortgaged land. Sir, my definition is very clear. There is no ambiguity or vagueness in it and that definition should be accepted, so that the Court may find a reasonable basis for finding out that the profits have been sufficient to extinguish the principal or the interest. Now coming to my amendment No. 114, I want to submit that in sub-clause (*5*) of clause 3 the proposed sub-sections (*13*) and (*14*), of section 26G be substituted by the sub-section referred to in my amendment. In the proposed sub-section (*13*) it has been provided that subject to the provision of sub-section (*14*) the decision of the Court shall be final, and the proposed sub-section (*14*) says that an appeal shall lie to the District Judge from any decree passed under sub-section (*11*) or under sub-section (*12*). Such provision is quite unsatisfactory. Now, Sir, if my amendment is accepted, then the provision with regard to the appeal or revision comes on a par with a similar provision that has been made under the proposed sub-section (*7*), with regard to sub-section (*5*) of section 26G. In the same section there should not be two different provisions for appeal in similar cases. So, if my amendment is accepted, the anomaly which pervades the two different provisions is remedied, and both the mortgagor and the mortgagee will be able clearly to know that there will be equitable dispensation of justice in everybody's case. So I submit that these two amendments also are pertinent and should be accepted.

Mr. SHAHEDALI: Sir, in moving my amendment which stands in my name, I beg to submit that the object and tendency of this amending Bill was to do good to the debtors, but from the way in which it has been amended in the Upper House it has become clearer that it is not for the good of the debtors but for the good of the creditors. In sub-section (*9*) (*a*) of section 3 of the Bill there is a provision for the mortgagor to bring a suit for redemption of his land and in sub-clause (*b*) there is a provision for the mortgagee to bring a suit for declaration that he will be in possession of the property after the expiry of the time, but there is no provision as to how long the mortgagee will be in possession of that particular plot. There is no such provision.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I know, Sir, on which particular amendment the member is speaking?

Mr. SHAHEDALI: On amendment No. 55. Further, there must be a time-limit as to how long the creditor will be in possession of that plot of land, but there is no such provision. Supposing for argument's sake that there is no suit instituted under sub-section (*9*) (*a*), will the

mortgagee bring in a suit for the possession, but if he does not who will be in possession? For that my proposal is that the mortgagee must bring in a suit or the mortgagor. If the land is in possession of the creditor, the property will be declared after 15 years to be in possession of the mortgagor and after that the mortgagee will be considered a trespasser and there will lie a criminal suit against him. He can only recover possession of the land by bringing a suit under section 9 of sub-section (*a*).

Maulvi MD. ABUL FAZL: Sir, the amendments have been moved with a view to omit the new sub-sections (*7*), (*9*), (*10*), (*11*), (*12*) and (*13*). The reason is that in order to institute suits by the mortgagor or the mortgagee these suits should be declaratory suits. That means Court fees of Rs. 20 in addition to other incidental expenses. Then, again, in sub-section (*10*) the interest has been put a little too high. In sub-section (*11*) the time-limit is not mentioned. Then in sub-section (*12*) the time-limit of 15 years may be exceeded. But in these two sub-clauses (*11*) and (*12*) there is no time-limit specifically mentioned, making it possible to exceed 15 years. Sub-section (*13*) is clearly unnecessary, because sub-section (*14*) is quite sufficient. Then again as regards the interest of 8 per cent., it is a little too high in these hard days. On these grounds we think that the new amendments (*7*), (*9*), (*10*), (*11*), (*12*) and (*13*) are unnecessary and these should be replaced by the old sub-sections (*7*) and (*8*) as we passed them in the Assembly.

Mr. MONMOHAN DAS: Sir, I should like to speak a few words in view of the fact that amendment No. 46 stands in my name. I submit that sub-clause (*b*) of proposed sub-section (*9*) gives the mortgagee a right to institute a suit after the expiry of the due time, that is after 15 years. So it is quite natural for the mortgagees to find opportunities to create troubles to the mortgagors even after the expiry of the time, and thereby they will always think of trying to keep the land in their possession even after the due time. The mortgagees are the creditors and the mortgagors are the debtors, and it is quite natural for the mortgagees—I mean the creditors—to hire witnesses and prove to the satisfaction of the Court by any means that the profit arising out of the lands that were in the possession of the mortgagees could not satisfy the demands. So I submit that if such an opportunity be given to the creditor to create trouble to the debtor, it would rather encourage litigation, and so I submit that there should be a time-limit laying down how long the mortgaged land will remain in possession of the mortgagee after the expiry of the due time, according to the decision of the Court. So I submit that this sub-section (*b*) to the proposed sub-section (*9*) should be omitted.

Mr. ASIMUDDIN AHMED : Sir, আমরা একটা একটা কোরে clause III-র sub-clauseগুলো omission-এর motion দিয়েছি। যখন Bengal Tenancy-র III Amendment Bill এই House-এ পাশ করা হয় তখন যেভাবে আমরা এটাকে পাশ কোরে চলেছি সেইভাবে এটাকে না রেখে Upper House,—প্রজাদের কৃষকদের স্বার্থ নষ্ট কোরে—বিলটাকে পরিবর্ত্তন কোরে দিয়েছে। এ বিলটা আনয়নে গভর্ণমেণ্টের উদ্দেশ্য ছিলো—যে দুর্দ্দশাগ্রস্ত প্রজাদের ও দায়িকদের সুবিধা কোরে দেওয়া, এবং তাদের অন্ন বস্ত্র সংস্থান করা, এবং মহাজন ও খাতক,— যারা টাকা দিয়েছে ও নিয়েছে তাদের মধ্যে সদ্ভাব স্থাপন করা অর্থাৎ যারা টাকা দিয়েছে তারা তাদের ন্যায্য দাবীটা আদায় কোরে নিক আর যারা নিয়েছে তারাও তাদের ঋণটা শোধ কোরে দিয়ে বেঁচে যাক এই ছিলো গভর্ণমেণ্টের উদ্দেশ্য। কিন্তু Upper House—কি কারণে কি গুজুহাতে খাতকদের, দায়িকদের অসুবিধা কোরে বিলটাতে এরকম পরিবর্ত্তন কেন কোরেছেন তার কোন যুক্তি আমি চিন্তা কোরেও বুঝতে পারছি না। এই হাউসে গভর্ণমেণ্টের মত অনুসারে, মেজরিটিদ্বারা যে বিলটাকে মন্ত্রী মহাশয় পাশ করিয়ে নিয়েছেন, Minister-in-charge এখানে উপস্থিত আছেন, তাঁকে জিজ্ঞাসা কোরছি— তিনিই কি কোরে আবার বিলটাকে বিরুদ্ধভাবে পাশ করিয়েছেন? এবং আমি এও জানি যে Upper House-এও তাদের majority আছে। এই majority থাকা সত্বেও কিভাবে এটা উল্টে গেল বুঝতে পারছি না। এটা দেখে বোধ হয় আজ গভর্ণমেণ্টের এক রকম মনোভাব, এবং কালই আবার অন্য রকম মনোভাব। এতে গভর্ণমেণ্টের প্রতি দেশের লোকের মনোভাব খারাপ না হোয়ে পারে না। প্রজাদের নির্য্যাতনের যত রকম অস্ত্রের তাঁরা ব্যবস্থা কোরেছেন। আমরা যেভাবে বিল পাশ কোরেছিলাম—তাতে conditional sale সম্বন্ধে কোর্ট যা মীমাংসা কোরবেন—সেইটাই final হবে এই ভাব ছিল। তারপরে বারো আনা কোর্ট ফি দিয়ে apply কোরতে হবে এই সব ব্যবস্থা কোরে এবং উকিল বারিষ্টারের জন্য টাকা খরচার ব্যবস্থা কোরে প্রজাদের ধ্বংস করার বন্দোবস্ত কোরেছেন।

আমি আজ এই কথাটা মাননীয় Sir Bijoy Prasad Sinha মহোদয়কে জিজ্ঞাসা কোরছি—এই House-এর majority দ্বারা যে বিলটাকে পাশ করিয়ে নিয়েছেন সেই বিলটাকে তাঁদের Upper House-এ majority থাকা সত্বেও উল্টো রকমে পাশ করিয়েছেন কি মনোভাব থেকে সেইটা আমি জানতে চাই। আমি সেই প্রথম স্বায়ত্বশাসনের আমল থেকে কাউন্সিলে আছি, তাঁর সঙ্গে অনেক দিন কাজ কোরেছি, তাঁর সততা সম্বন্ধে একটু বিশ্বাস ছিলো। এটা আমি আজ বুঝতে পারছি না কেন তিনি এ হাউসে এক রকম কাজ কোরছেন, অন্য হাউসে অন্য রকম কাজ কোরছেন। আমাদের অত্যন্ত সন্দেহ এই ব্যাপারটার উপর হোচ্ছে (Here the Speaker very loudly said) আমরা আজ স্পষ্ট জানতে চাই আপনি কি মনোভাব থেকে এটা কোরছেন, আমাদের——

Mr. SPEAKER : Order, order.

Mr. ASIMUDDIN AHMED : আমি মাননীয় স্পীকারের through দিয়াই মাননীয় মিনিষ্টারকে বোলছি।

Mr. SPEAKER : আমাকে এত চেঁচিয়ে বোললে আমি শুনবো না।

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I am afraid there is a storm over a tea cup. I am not at all responsible for the changes introduced in the Bill in the Upper House, because Government opposed these changes which are unpalatable to my friend opposite. They were carried against Government.

Mr. SURENDRA NATH BISWAS: You may amend these amendments here.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government were not responsible for the changes introduced. That is the short and sweet reply to my friend, Mr. Asimuddin Ahmad.

Now, Sir, I shall turn to the amendments moved by several honourable members. First of all, I would refer to the amendments moved by Mr. Dhirendra Nath Dutta.

Mr. SPEAKER: I think I am expecting a fourth Amendment Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. Dutta suggested the deletion of sub-clauses (*g*) to (*i*). Evidently his idea is that after the fifteen years' time-limit the mortgagor should automatically get possession of the mortgaged property and neither the mortgagee nor the mortgagor should be given any opportunity to go to Court. Now, in sub-clause (*g*) (*a*) an opportunity has been given to the mortgagor to go to Court even before the fifteen years' time to show that within that period the money due from him has been liquidated and he is entitled to re-enter the mortgaged property. Similarly, in sub-clause (*b*) the mortgagee has been given the right to go to Court to show that though fifteen years have expired still the money due to him has not been fully liquidated.

Mr. SURENDRA NATH BISWAS: Does the mortgage stand after fifteen years?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, it does not after fifteen years. It is very clear.

Mr. SURENDRA NATH BISWAS: How can he go to Court then?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He has been given a special right. It is very clear. My friend need not have interrupted me. The mortgagee is being given a special right to go to Court after the expiry of the fifteenth year to show that the money due to him has not been fully liquidated so that he should be given a term of another few years to enable him to get back at least the principal amount due to him and not any interest on it.

Sub-clauses (*10*), (*11*), (*12*), and (*14*), are practically consequential. If these rights are conceded to the mortgagor and the mortgagee, which I maintain, are very salutary rights, the others naturally follow. So, I oppose these amendments on those grounds.

My friend Mr. Dutta in his amendment of sub-clause (*12*) suggested that instead of "reasonable period" it should be ten years, so that though the mortgagee will not be entitled to realise any interest after the fifteenth year, on being again put into possession of the property, the mortgagor should be given the right to pay the amount due in ten years' time. This will certainly be a very long period. Therefore, the expression "reasonable period" is, in my opinion, extremely reasonable and should not be deleted and substituted by ten years as suggested by Mr. Dutta.

In his amendment No. 36 Mr. Dutta wants to remove the words "conditional sale." This is something which I cannot understand. Mr. Dutta in his amendments Nos. 25-28 wants to do away with the provisions giving right to the mortgagee to go to Court or the mortgagor to go to Court with regard to conditional sales, because these provisions will only apply to conditional sales and not other forms of usufructuary mortgages. Now, in his amendment No. 36, Mr. Dutta wants to do away with the words "conditional sale" so as to make this provision applicable to all sorts of usufructuary mortgage and he wants to widen the scope of this clause. So the two amendments are entirely inconsistent.

Sir, now I turn to Mr. Dutta's proposal about the rate of interest in amendments Nos. 72 to 78. His proposal is to reduce it to 6 per cent. Here he has anticipated my reply that Government thought that it would be reasonable to limit it to 8 per cent.—an amount which is mentioned in the Money-lenders Bill in case of secured loans. Sir, there is no justification for reducing it further.

Sir, I would like now to reply to some of the proposals and amendments moved by Mr. Surendra Nath Biswas. In amendment No. 41, he suggests that the cost due to the mortgagee for a foreclosure suit should be payable. This will only increase the burden of the mortgagor and so I oppose it. In amendment No. 51, he suggests that the mortgagee should be allowed to go to Court before 15 years, as soon as the amount is due, and not after 15 years as proposed here. In that case, my apprehension is this, that in every mortgage by conditional sale,

there will be a suit by the mortgagee to prevent the mortgagor from getting back the possession and the benefit which this Bill seeks to confer on the mortgagor will be practically taken away if Mr. Biswas' amendment is accepted.

In amendment No. 80, Mr. Biswas wants to add the award of costs. The Court is free to award costs, and it is not necessary to mention specifically that it should do so. Amendment No. 92 is consequential to amendment No. 80; so I need not reply to that. In amendment No. 93, Mr. Biswas says that why should there be the mention of the expression "any other means," and he has got serious misgivings about the words "any other means." He has also argued that the Court will not be justified in going into all these points. Suppose a mortgagor pays something in kind and a portion of the amount due in cash, then will not the Court, in finding whether the amount has been liquidated or not, go into that point and take notice of the fact that actually some amount has been paid in cash?

Sir, Mr. Biswas suggested in his amendment No. 111 that the word "profits" should be defined. I think that it is absolutely unnecessary. Wide powers have been given to Court and the Court, I am sure, will take into account the facts of each case and will decide accordingly. But if we lay down any definition, it might not be applicable to all cases.

About appeals, Mr. Biswas again suggests that appeals should be guided by the provisions of the Civil Procedure Code and not as laid down here——

Mr. SPEAKER: Sir Bijoy, you oppose all the rest of the amendments?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, I oppose them all.

The motion of Mr. Md. Abul Fazl that in clause 3 (*5*), original sub-section (*7*) of section 26 (G) be reinstated, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 3 (*5*) in the proviso to proposed sub-section (*7*) of section 26G, line 4, for the word "twelve" the word "three" be substituted, was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in clause 3 (*5*), proposed sub-sections (*9*) to (*14*) of section 26 (G) be omitted, was then put and a division taken with the following result:—

AYES—66.

Abdul Jabbar Patwari, Mr. Md.
Abdul Wahed, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Aslamuddin Ahmed, Mr.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Bhanth.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.

Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Dutta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ganguly, Mr. Pratul Chandra.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jalan, Mr. S. D.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Baroda Prosanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—115.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. (alias Lal Mosh).
Abdul Latif Biswas, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdullah-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Khan Bahadur Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alimuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Barat Ali, Mr. Md.
Bose, Mr. Jatindra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Faziul Huq, the Hon'ble Mr. A. K
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
French, Mr. F. H.
Gomes, Mr. S. A.
Griffiths, Mr. O.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemaily Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmed, Khan Bahadur, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.

Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Momin Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Soliman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, Mr. Patiram.
Sahabe Alam, Mr. Syed.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Yusuf Ali Choudhury, Mr.

The Ayes being 66 and the Noes 115, the motion was lost.

The motion of Mr. Md. Abul Fazl that in clause 3 (*5*), the proposed sub-section (*9*) of section 26G be omitted, was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in clause 3 (*5*), in proposed sub-section (*9*) of section 26G, line 3, the words "by conditional sale" be omitted, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 3 (*5*), in proposed sub-section (*9*) of section 26G, in line 3, after the words "conditional sale" the words "or any other mortgage" be inserted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3 in clause (*a*) of the proposed sub-section (*9*) of section 26G, in line 1, after the words "at any time" the words "before a decree for foreclosure in respect of the mortgage shall have been passed by the Court" be inserted, was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in clause 3 (*5*), paragraph (*b*) of the proposed sub-section (*9*) of section 26G be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3, in clause (*b*) of the proposed sub-clause (*9*) of section 26G, in lines 2 and 3, for the words beginning with "fifteen years" and ending with "mortgage" the following words be substituted, namely:—

"the due date as fixed in the deed of mortgage for repayment of the mortgage debt,"

was then put and lost.

The motion of Mr. Shahedali that in clause 3 (*5*) to the proposed sub-section (*9*) of section 26G the following proviso be added, namely:—

> "Provided that after the expiry of fifteen years from the date of the execution of the mortgage deed the mortgagee will be considered a trespasser in respect of the mortgaged properties without bringing a suit as provided in sub-section (*9*) (*b*),"

was then put and lost.

The motion of Mr. Ramizuddin Ahmed that in clause 3 (*5*), the proposed sub-section (*10*) of section 26G be omitted, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 3 (*5*) in the proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "one" be substituted, was then put and a division taken with the following result:—

AYES—38.

Abdul Jabbar Paiwan, Mr. Md.
Abdul Wahed, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Azimuddin Ahmed, Mr.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Biswas, Babu Lakshmi Narayan.
Chakrabarty, Mr. Jatindra Nath.
Das, Mr. Monmohan.
Datta, Mr. Dhirendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Gupta, Mr. J. N.
Hasan Ali Choudhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kunda, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Naskar, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sur, Mr. Harendra Kumar.
Wahur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—117.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. (alias Lal Miah).
Abdul Latif Biswas, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Khan Bahadur Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Kasyalpuri, Khan Bahadur Maulana.

Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alimuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Barat Ali, Mr. Md.
Basu, Mr. Jatindra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Farhad Reza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
French, Mr. F. H.
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. G.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Millar, Mr. C.
Muhammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawzal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman, Khan, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja. C. B. E.
Shamsuddin Ahmed, Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker Mr. W. A. M.
Yusuf Ali Choudhury Mr.

The Ayes being 38 and the Noes 117, the motion was lost.

The motion of Mr. Iswar Chandra Mal that in clause 3 (*5*), in proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the words "four and half" be substituted, was then put and lost.

The motion of Mr. Md. Abul Fazl that in clause 3 (*5*), in the proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "five" be substituted, was then put and lost.

The motion of Mr. Md. Abul Fazl that in clause 3 (*5*) in proposed sub-section (*10*) of section 26G, line 7, for the word "eight" the word "six" be substituted, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 3 (*5*), in proposed sub-section (*10*) of section 26G, in line 7, for the word "eight" the words "three annas" be substituted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 3 (*5*), in the proposed sub-section (*10*) of section 26G, after the words "per annum" at the end the following words be added, namely:—

> "and the mortgagee's costs of the suit for foreclosure, if any, such suit has been instituted by the mortgagee in respect of the mortgage before getting notice of the suit instituted by the mortgagor under sub-section (*9*),"

was then put and lost.

The motion of Mr. Asimuddin Ahmed that in clause 3 (*5*), the proposed sub-section (*11*) of section 26G be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3, in the proposed sub-section (*11*) of section 26G, in line 3, after the word "thereon" the words "and the costs, if any, as referred to in sub-section (*10*)" be inserted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3, in the proposed sub-section (*11*) of section 26G, in line 4, the words "or by any other means" be omitted, was then put and lost.

The motion of Mr. Asimuddin Ahmed that in clause 3 (*5*), the proposed sub-section (*12*) of section 26G be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3, in the proposed sub-section (*12*) of section 26G, line 4, the words "or by any other means" be omitted, was then put and lost.

The motion of Mr. Asimuddin Ahmed that in clause 3 (*5*), in proposed sub-section (*12*) of section 26G, lines 8-9, for the words "a reasonable period" the words "fifteen years' time" be substituted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3 after the proposed sub-section (*12*) of section 26G, the following explanation be inserted, namely:—

> "*Explanation*.—The word 'profits' as referred to in sub-sections (*9*), (*10*), (*11*) and (*12*) means net profits calculated after deducting from the market value of the crops produced in the mortgaged land and harvested by the mortgagee the costs of cultivation of the mortgaged land and other costs of production of and those of harvesting the crops produced therein and also the amount of rent and cess paid by the mortgagee for the mortgaged property;"

was then put and lost.

The motion of Mr. Ramizuddin Ahmed that in clause 3 (*5*), the proposed sub-sections (*13*) and (*14*) of section 26G be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in sub-clause (*5*) of clause 3, for the proposed sub-sections (*13*) and (*14*) of section 26G, the following sub-section be substituted, namely:—

> "(*13*) Any decree passed by any Court under sub-section (*11*) or sub-section (*12*) shall be subject to the provisions of the Code of Civil Procedure, 1908, in respect of appeal, revision or review,"

was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in clause 3 (*5*), the proposed sub-section (*13*) of section 26G be omitted, was then put and lost.

The motion of Mr. Dhirendra Nath Dutta that in clause 3 (*5*), in proposed sub-section (*13*) of section 26G, the words, figures and brackets "or sub-section (*12*)" be omitted, was then put and lost.

The motion of Mr. Asimuddin Ahmed that in clause 3 (*5*), proposed sub-section (*14*) of section 26G be omitted, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that in clause 3 (*5*) in proposed sub-section (*14*) of section 26G, line 2, the words, figures, and brackets "or sub-section (12)" be omitted, was then put and lost.

Mr. SPEAKER: That disposes of all the amendments moved so far.

Clause 5.

Mr. SPEAKER: Amendments Nos. 128 and 129 are not in order.

Babu PREMHARI BARMA: Why not, Sir?

Mr. SPEAKER: Because so far as No. 129 is concerned, nobody knows how much of the production will bring in the money necessary to meet the decretal amount of the cost. Therefore, in law you cannot legislate anything indefinite, and it will totally fail and the section will be made inoperative.

Babu PREMHARI BARMA: But, Sir, the Court will decide as to how much portion of the tenure will bring in that amount of money.

Mr. SPEAKER: After all the Court has no machinery to decide the value of a land or a portion of a land until it is sold. Your language is "such portion of the tenure or holding to which the decree relates as is necessary to meet the amount with costs." So how can the Court come to a judgment in such a case?

Babu PREMHARI BARMA: As regards my amendment No. 128 it is for the restoration of the portion omitted by the Upper House.

Mr. SPEAKER: It is absolutely redundant, in my opinion.

Mr. DHIRENDRA NATH DATTA: Sir , I beg to move that in clause 5, in the proposed section 168A, the proviso to clause (*a*) of sub-section (*1*) be omitted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in clause 5, in the proviso to clause (*a*) of sub-section (*1*) of the proposed section 168A, lines 2 and 3, the words "of the temporary settled estate" be omitted.

Sir, I also beg to move that in clause 5 the following proviso be added to clause (*a*) of sub-section (*1*) of the proposed section 168A, namely—

> "Provided that the provisions of this clause shall not apply to the proceedings in execution of a decree for rent obtained by a co-sharer landlord in respect of his share if the tenure or holding to which the decree relates has already been sold in execution of a similar decree obtained by another co-sharer landlord."

Mr. MAQBUL HOSSAIN: Sir, I beg to move that in clause 5, sub-section (*1A*) of proposed section 168A, be omitted.

Babu PREMHARI BARMA: Sir, I beg to move that in clause 5, in proposed section 168A (1A), line 7, after the word "sold" the words "or if sold, has been purchased by the decree-holder" be inserted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move the short notice amendment instead of my amendment No. 154, namely, that in clause 5, the following proviso be added to sub-section (*1A*) of the proposed section 168A, namely—

> "Provided that in case further step in execution of the decree be time-barred upon the withdrawal of such attachment, the execution proceedings as referred to in sub-section (*1A*) shall continue, if the decree-holder so desires."

Mr. ASIMUDDIN AHMED: Sir, I beg to move that in clause 5, sub-section (2) of the proposed section 168A be omitted.

Mr. MD. ABUL FAZL: Sir, I beg to move that in clause 5, original sub-sections (2) and (3) of the proposed section 168A be reinstated.

Mr. SPEAKER: Now clause 5 is open to debate.

Mr. DHIRENDRA NATH DUTTA: Sir, I would like to say a few words in support of my amendment for the deletion of the proviso to clause (a) of sub-section (1) in the proposed section 168 (A).

May I ask the Hon'ble Minister in charge what is the meaning of this proviso? The proviso is meaningless. During my experience of many years as a lawyer, I have not found such expression as is found in the proviso. It is really meaningless. What is meant by "the term of the tenancy of the temporary settled estate"? What sort of tenancy is it? As it does not convey any meaning, it should be deleted. It only demonstrates the hastiness of the legislation. If it becomes part of the statute, it will only show that we do not at all take care of what is going on. The Hon'ble Minister in charge of the Bill does not know what meaning is intended to be conveyed. So, I beg to submit that the proviso should be deleted.

Babu PREMHARI BARMA: Sir, in support of my amendment No. 150, I beg to submit that it has been provided that if any property other than the entire tenure or holding has been attached and if the property has not been sold, the Court shall direct the release of that property if the judgment-debtor applies. I want to submit here that a provision should be made that even if the property other than the entire tenure or holding has been sold after attachment and purchased by the decree-holder, in that case also the Court shall release the property if the judgment-debtor applies. This Bill is intended to give relief to tenants and therefore it is just and proper that the property should be released if the property other than the entire tenure or holding to which the decree relates has been attached and purchased by the decree-holder. With these few words, I beg to commend my motion to the acceptance of the House.

Mr. SURENDRA NATH BISWAS: Sir, I shall deal with my amendment No. 142 first. By this amendment I want to delete the words "of the temporary settled estate" from the proviso. The proviso has been provided in order to give some relief to the landlord of the temporary settled estate.

Mr. SPEAKER: It has not been provided to give relief to anybody. As the language stands at present, you cannot interpret it that way.

Mr. SURENDRA NATH BISWAS: However, as Sir Bijoy insists on having it as it is here, he wants to give relief only to the landlord of the temporary settled estate, that is, Government.

Mr. SPEAKER: The Government's attitude, so far as I have been able to understand it, is this. So far as this section is concerned, it is absolutely meaningless. But Government want to give effect to the other provisions in the Bill. Probably Government would come forward with a fresh Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is exactly the attitude of Government.

Mr. SPEAKER: They want to give effect to the other provisions in the Bill and that is the reason why, in spite of admitted defects, they proceed with the Bill.

Mr. SURENDRA NATH BISWAS: They can swallow many things.

Mr. SPEAKER: I am certain they cannot swallow you!

Mr. SURENDRA NATH BISWAS: Perhaps a time may come when they may do so. If it is intended to give relief to the landlord of the temporary settled estate, it stands to reason that such relief should be given to all landlords. Therefore, these words should be deleted from the proviso.

Then, I come to amendment No. 143 which is very reasonable and rational, and I hope that Sir Bijoy will accept it. By this amendment I provide that a co-sharer landlord who has got a decree for his share of the rent would be entitled to realise his money in case where the entire holding has passed out of the hands of the tenant. Sir, the right of a landlord to get a decree for his rent and to realise it from his tenants has been very much controlled by this new section 168(A). It is provided in this proposed sub-section that a landlord shall not be entitled to realise his decretal amount except by the sale of the entire holding. Now, Sir, a co-sharer landlord can also sell the entire holding for his share of the rent. Supposing that a co-sharer landlord gets a decree for his share of the rent and sells the entire holding in execution of that decree, and that in the meantime another co-sharer landlord sues for his share of the rent and gets a decree subsequently to the other decree, does the Hon'ble Minister mean that the second

co-sharer landlord will not get anything? This does not stand to reason. It is but just and reasonable that he should get his share of the rent and therefore he should be given the right to realise his decretal amount in any way he likes, although the holding has passed out of the hands of the tenant.

Mr. SPEAKER: I take it, Mr. Shamsuddin, you want exactly the deletion of the amendments made by the Council and the substitution of the clauses in the original Bill which the Assembly passed.

Mr. M. SHAMSUDDIN AHMED: Yes.

Mr. SPEAKER: I think that that is the correct form. The motion will then stand as follows: that clauses 1A and 2 as in the Bill be deleted and that clauses 2 and 3 as in the original Bill substituted.

Mr. M. SHAMSUDDIN AHMED: Yes.

Mr. SURENDRA NATH BISWAS: Then, Sir, as regards my short notice amendment it provides that in case further step in execution of the decree be time-barred upon the withdrawal of such attachment, the execution proceedings as referred to in sub-section (*1A*) shall continue, if the decree-holder so desires. Suppose, a landlord has applied for execution on the last date of limitation and, before this law comes into force, has applied for the attachment of a part of the holding. Suppose that has been the position of the execution proceedings. In the meantime this law comes into effect. Then, unless some provision is made in the way I have proposed, the application will be time-barred and the decree-holder will have no remedy in realising the amount of the decree. So, I submit, that in all fairness and justice, this amendment should be accepted and this proviso be inserted.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I oppose this amendment with regard——

Mr. SPEAKER: I have already explained the Government position.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, with regard to proviso to sub-clause (*1*) of clause 5, you have very kindly explained the difficulties of Government. In fact, I quite realise that this proviso is meaningless, but if we want to improve it, in that case

the Bill cannot come into force and it will have to go back to the other House and the whole measure will be deferred and delayed. So, I oppose this amendment.

The motion of Mr. Dhirendra Nath Datta that in clause 5, in the proposed section 168A, the proviso to clause (*a*) of sub-section (*1*) be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 5, the following proviso be added to sub-section (*1A*) of the proposed section 168A, namely:—

> "Provided that in case further step in execution of the decree be time-barred upon the withdrawal of such attachment, the execution proceedings as referred to in sub-section (*1A*) shall continue, if the decree-holder so desires,"

was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 5, in the proviso to clause (*a*) of sub-section (*1*) of the proposed section 168A, lines 2 and 3, the words "of the temporary settled estate" be omitted, was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 5 the following proviso be added to clause (*a*) of sub-section (*1*) of the proposed section 168A, namely:—

> "Provided that the provisions of this clause shall not apply to the proceedings in execution of a decree for rent obtained by a co-sharer landlord in respect of his share if the tenure or holding to which the decree relates has already been sold in execution of a similar decree obtained by another co-sharer landlord,"

was then put and lost.

The motion of Mr. Asimuddin Ahmed that in clause 5, sub-section (*2*) of the proposed section 168A be omitted, was then put and lost.

The motion of Mr. Md. Abul Fazl that in clause 5, original sub-sections (*2*) and (*3*) of the proposed section 168A be reinstated, was then put and lost.

The motion of Mr. Maqbul Hossain that in clause 5, sub-section (*1A*) of proposed section 168A be omitted, was then put and lost.

The motion of Babu Premhari Barma that in clause 5, in proposed section 168A (*1A*), line 7, after the word "sold" the words "or if sold, has been purchased by the decree-holder" be inserted, was then put and lost.

Mr. SPEAKER: The rest of the matter will be taken up to-morrow.

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Before the House is adjourned, may we enquire if Sir Bijoy Prasad Singh Roy has been present to-day in this Assembly as a member of the Assembly or he has been functioning as a member of the Council of Ministers. If that is so, we would like to know from you, Sir, if it is going to be a precedent for future that a member of the Council of Ministers belonging to the other House—I mean, the Council—will be representing some members of this House who will be absent or other Ministers who are members of this Assembly will take up the portfolio——

Mr. SPEAKER: For the time being, he is not a member of this Assembly and he is here by virtue of the right which law gives him and nothing more.

Adjournment.

It being 8-7 p.m.—

The House was adjourned till 4-45 p.m. on Tuesday, the 9th April, 1940, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 9th April, 1940, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 8 Hon'ble Ministers and 213 members.

STARRED QUESTIONS

(to which oral answers were given)

Hessian and raw jute futures markets.

***327E. Messrs. I. G. KENNEDY, J. R. WALKER and W. A. M. WALKER:** (*a*) Is the Hon'ble Minister in charge of the Commerce and Labour Department aware that the hessian and raw jute futures markets by uneconomic fluctuations are operating from day to day to the detriment of legitimate trade?

(*b*) Has the Hon'ble Minister invited an expression of opinion regarding these markets from the representatives of such trade associations as in his opinion were qualified to express an informed judgment in this matter?

(*c*) If so, is it a fact that replies were submitted early in March?

(*d*) Is it a fact that the replies indicate that there is practically universal consensus of opinion in the quarters so consulted by the Hon'ble Minister that these markets should be closed?

(*e*) If so, does the Hon'ble Minister propose to take immediate steps to close these markets?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) This is a matter of opinion. I hold the view that violent fluctuations are detrimental to normal trade.

(*b*) Yes.

(*c*) I asked that suggestions may be sent to me by the beginning of March. They continued to arrive till the 14th March.

(*d*) and (*e*) In respect of the hessian futures market the preponderance of opinion favours its abolition; but this is not so in respect of the jute futures market. Any such drastic action as suggested may have legal repercussions, and I am examining this aspect of the question as well. I may however state that I am considering the whole subject from the point of view of better control and regulation than of abolition.

Mr. I. C. KENNEDY: Arising out of answer (*a*), is the Hon'ble Minister aware that there is a very large body of opinion which condemns strongly the continuance of gambling in jute as being against the best interests of growers, workers and manufacturers?

The Hon'ble Mr. H. S. SUHRAWARDY: There is a body of opinion.

Mr. J. R. WALKER: Arising out of answers (*d*) and (*e*), will the Hon'ble Minister be pleased to state if he considers the desirability of suspending the operations of these futures markets until such time as he formulates a plan for reconstruction?

The Hon'ble Mr. H. S. SUHRAWARDY: That is an aspect of the question that I am considering, but until such time as these markets get out of hand, I would rather consider the subject from the point of view of better control and regulation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware of a very large volume of opinion that is apprehensive of a gentlemen's agreement being entered into by the mill-owners in case the futures market is suppressed so that the price of jute might be kept low?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not know whether the mill-owners will enter into a gentlemen's agreement in case the fatka jute market is abolished, but some of the views expressed are to the effect that in case the fatka market is abolished, the price of jute may go down.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is considering the desirability of ensuring that no agreement or alliance or monopolistic attempt on behalf of the purchasers might be indulged in, in case the demand created by the fatka market is removed?

Mr. SPEAKER: It is purely problematic. The Hon'ble Minister has said that he is considering the subject from the point of view of better control and regulation than of abolition.

Dr. NALINAKSHA SANYAL: He has also said that there is another question which is being considered, namely, the question of suspending the operations for the time being pending the final decision.

Mr. SPEAKER: Please put it in a slightly altered form.

Dr. NALINAKSHA SANYAL: Let us have an assurance that there will be no attempt to suppress the operations of the futures market unless and until the Government is assured that so far as the monopolistic buyers are concerned there may not be any attempt to force down the prices.

The Hon'ble Mr. H. S. SUHRAWARDY: I cannot prevent gentlemen from coming to an agreement amongst themselves; but if they do come to an agreement which may be detrimental to the interests of the agriculturists, Government will have to consider to what extent Government can interfere with such an agreement. It is difficult to state off-hand whether Government have any power to do so.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that the large rise in jute prices obtained by the agriculturists this year has been mainly due to the operations of the futures markets which forced up prices to near about Rs. 100 and more per bale when the mill-owners were trying to put it down?

The Hon'ble Mr. H. S. SUHRAWARDY: That view has been expressed.

Mr. J. R. WALKER: Is it not a fact that responsible sections of trade as distinct from speculators have for the past year urged upon Government the necessity for regulation or suspension of these markets and the Government has done nothing?

The Hon'ble Mr. H. S. SUHRAWARDY: Responsible members of the trade also speculate, and it is difficult to differentiate between the two sections.

Mr. W. A. M. WALKER: Is it not a fact that Government issued a communiqué towards the end of last year deprecating the

violent fluctuations in the futures market and threatening with very severe action if it is continued, and that these fluctuations did in fact continue, and the Government took no action?

The Hon'ble Mr. H. S. SUHRAWARDY: I still deprecate such violent fluctuations and if such violent fluctuations now occur, which I feel will be detrimental to the interests of the agriculturists, Government will interfere.

Mr. W. A. M. WALKER: Will the Hon'ble Minister be pleased to state why Government did not interfere earlier?

The Hon'ble Mr. H. S. SUHRAWARDY: Because the fluctuations that did occur at the time were not detrimental to the interests of the agriculturists.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the violent fluctuations referred to have been largely due to the refusal of the mills to purchase when they need the jute and to hold over their purchases for a longer time than is absolutely necessary?

The Hon'ble Mr. H. S. SUHRAWARDY: The fluctuations have been violent both upwards and downwards and sometimes fluctuations have been violent upwards on account of the over-readiness of the mills to buy when they might have held off, and the fluctuations have been downward sometimes when the mills have held away, and this has been assisted by circumstances like the excess profits duties and the non-regulation of jute sowings.

Dr. NALINAKSHA SANYAL: Is it a fact that violent fluctuations are largely due to the operations or otherwise of the mill-owners themselves?

The Hon'ble Mr. H. S. SUHRAWARDY: That is a matter of opinion. Violent fluctuations may have been assisted by their operations.

Mr. J. R. WALKER: With reference to answers (*d*) and (*e*), will the Hon'ble Minister be pleased to state if he is examining the legal repercussions with a view to closing the hessian futures market in view of the preponderance of an opinion which favours the abolition, or is he just considering the control and regulation of the jute futures markets?

The Hon'ble Mr. H. S. SUHRAWARDY: I was examining the repercussions from this point of view, namely, there are many contracts which pass in these futures markets, and if suddenly we decide to close them down, what are going to be the legal repercussions as between the parties amongst themselves and the parties and the Government itself. I do not desire, Sir, that Government should be landed with a responsibility which may devolve on it owing to the sudden closing of the futures markets.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is considering the desirability of permitting, arranging or facilitating the futures dealings in raw jute after standardization or such other measures which might facilitate dealings in raw jute while examining the question of suspending the hessian futures market?

Mr. SPEAKER: I am sorry that question does not arise in that form.

Dr. NALINAKSHA SANYAL: Sir, in questions (*d*) and (*e*), there is mention of jute futures market.

Mr. SPEAKER: But not raw jute futures market.

Dr. NALINAKSHA SANYAL: Sir, it is stated in the answer that in respect of the hessian futures market, there is an opinion favouring its abolition, but so far as jute futures market is concerned, the opinion is divided. I am just trying to elicit further information as to whether with regard to jute futures market Government is considering the possibility of facilitating dealings in raw jute rather than in baled jute so that better prices for agriculturists may be secured?

Mr. SPEAKER: I am sorry there is no distinction whatsoever here between raw jute and baled jute. But if the Hon'ble Minister so desires, he can answer the question.

The Hon'ble Mr. H. S. SUHRAWARDY: There is a raw jute market, although it is not the futures market. It has been my aim, Sir, and I think I have expressed it on the floor of this House, that the fatka market instead of being linked to baled jute of standardized mark like the "M" mark should be linked to raw jute, but this bristles with so many difficulties that in order to put up some workable suggestions, examination by a real expert is necessary. As I have pointed out before, I have been unable to discover a person here

in India who will be able without fear or favour and without being in one way or other interested in the jute market to lay before Government satisfactory proposals upon which not only Government but the public and the trade interest may rely, and for that purpose, Sir, ——(Mr. SANTOSH KUMAR BASU: What about the Minister himself?) I have not sufficient knowledge of that. For that purpose I have intended to investigate the desirability of getting out some expert well conversant with the Liverpool cotton market and other futures markets for the purpose of giving us certain suggestions which may earn the confidence of all concerned.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what steps he has taken to convince himself that there are no such experts available in any part of India and what are the reasons that make him feel that an expert from Liverpool will not be acting in the interest of British interests here?

The Hon'ble Mr. H. S. SUHRAWARDY: I have consulted, Sir, all persons interested in the trade, and not one of them has been able to suggest to me the name of any particular person on whom they can rely. I can state here the name of one very eminent gentleman from Bombay, whose name was suggested to me. I approached him several times and requested him to take up the enquiry here and to make some suggestions. But unfortunately he did not agree to take up the work. No other alternative name has been suggested in spite of my asking that gentleman from time to time whether he could suggest any one else in his place who could take up the work. With regard to an expert from Liverpool making suggestions which may be in favour of the European interests concerned, I feel, Sir, that that question does not arise. I cannot see, Sir, how suggestions as to how the futures market should be regulated and how it should be linked to raw jute will go one way or other, or will favour any one particular interest.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government is considering the desirability of not taking any action unless and until they get a thorough enquiry made by an expert in this connection as stated by the Hon'ble Minister?

The Hon'ble Mr. H. S. SUHRAWARDY: I do propose to take action. I am examining the proposals which have been submitted to me by the various interests concerned, and some of those proposals are of such a nature that they can be immediately given effect to for the purpose of stabilising the market and putting it on a proper footing.

I am examining the proposals from that point of view, but the proposal which was addressed to me by Dr. Sanyal, namely, to change the entire basis of the jute futures market and change it from baled to raw jute requires much deeper and more expert consideration than I can give it.

Dr. NALINAKSHA SANYAL: Is it a fact that an ordinance to control the operation of both hessian and raw jute is already ready with Government, but they are only waiting for the Assembly to prorogue?

The Hon'ble Mr. H. S. SUHRAWARDY: No such ordinance is unfortunately ready.

Mr. JOGESH CHANDRA GUPTA: Is any ordinance in the contemplation of the Hon'ble Minister as soon as the Assembly is prorogued?

The Hon'ble Mr. H. S. SUHRAWARDY: There is no such ordinance in contemplation for the purpose of regulating the jute and hessian futures markets, but I would like to say that if the conditions of the market require that we should step in in the interests of the agriculturists, Government will be prepared to issue the necessary ordinances.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Confiscation of certain Wakf properties in Chittagong.

161. Maulana MD. MANIRUZZAMAN ISLAMABADI: With reference to the reply given to unstarred question No. 35 on the 20th December, 1939, will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether any enquiry has since then been made regarding confiscation of *wakf* properties by the Government of the Kadam Mobarak Mosque and the Sultan Bayezid Bostami Dargah Sharif at Chittagong;

(*b*) the total area of such confiscated properties; and

(*c*) the income of such properties?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): The enquiry is not complete as yet. From a report of the Inspector of the department at Chittagong it appears that the *wakf* of Bayezid Bostami originally possessed *lakhiraj* lands to the extent of 106 *drones*, 1 *kani*, 2 *gandas*, 1 *kara* the whole of which were resumed by the Government at the time of resumption proceedings. This information has, it appears, been collected from certain old records of the Chittagong Collectorate.

No similar information has as yet been received in the case of Kadam Mobarak.

It is alleged that Government confiscated the lands of both these *wakfs*.

No definite documentary evidence has been produced by the *mutawalli* or any interested party and it is difficult to locate the lands which originally belonged to these estates. The investigation is still proceeding.

Muslim Female Training School at Chittagong.

162. Khan Bahadur FAZLUL QUADIR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps the Government have taken to give effect to the recommendation of the Muslim Education Advisory Committee of 1935 for the establishment of a vernacular training school at Chittagong for Muslim girls like the one at Calcutta.

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the said scheme has been administratively approved;

(*ii*) whether any enquiry has since been made to give effect to the recommendations of the said Committee and on the repeated representations of the Muslim community of Chittagong; and

(*iii*) whether the scheme is being considered separately or along with the proposed girls' secondary college scheme at Chittagong?

(*c*) Do the Government contemplate treatment of the scheme separately and provide funds at the revised Budget of July next?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) to (*c*) The member is referred to the reply given to the starred question No. 283 of the current session.

Amount of stipend of students under training in temporary training centres.

163. Dr. SANAULLAH: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what is the monthly allowance of the stipendiary students of the training schools recently started for training teachers under the Free Primary Education Scheme in the—

(1) municipal centres, and

(2) *mufassal* centres?

(*b*) Is it a fact that the *mufassal* stipendiary students get half the allowance of the town students?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate an increase of the allowance of the *mufassal* stipendiary students to three-fourths of that of the town students?

(*d*) Is it in the contemplation of Government to allow suitable matriculates to be trained in those centres as non-stipendiary students?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Rs. 5.

(*b*) No.

(*c*) Does not arise.

(*d*) Yes, if there is a demand.

Communal ratio of clerks in certain offices in Darjeeling.

164. Mr. DAMBER SINGH GURUNG: Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the present time the total number of clerks in the higher and lower grades of the different communities as stated below—

(*a*) Hillmen (Nepalese, Bhutias and Lepchas),

(*b*) Bengali Hindus,

(*c*) Biharis or men from other provinces,

(*d*) Scheduled Castes, and

(*e*) Muslims,

in the following offices:—

(1) in Deputy Commissioner's office, Darjeeling,

(2) in Subdivisional Officers' offices at Kalimpong, Kurseong and Siliguri,

(3) in Communications and Works Department offices at Darjeeling, Kalimpong, Kurseong and Siliguri, and

(4) in Forest offices at Darjeeling and in other subdivisions?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (1) and (2) A statement furnishing the information is laid on the table.

(3) and (4) The member is requested to address a separate question to the Hon'ble Minister in charge of the Department concerned.

Statement referred to in the reply to clauses (1) and (2) of unstarred question No. 164.

	Upper grade.	Lower grade.	Sub-grade.		Total.	
			Permanent.	Temporary.	Permanent.	Temporary.
(*a*) Hillmen (Nepalese, Bhutias and Lepchas)—						
Sadar, Darjeeling ..	3	18	8	4	29	4
Kurseong ..	Nil	2	Nil	Nil	2	Nil
Kalimpong ..	1	2	Nil	3	3	3
Siliguri ..	Nil	Nil	Nil	Nil	Nil	Nil
(*b*) Bengali Hindus—						
Sadar ..	7	5	3	2	15	2
Kurseong ..	1	Nil	Nil	Nil	1	Nil
Kalimpong ..	Nil	1	Nil	Nil	1	Nil
Siliguri ..	2	5	Nil	Nil	7	Nil
(*c*) Biharis or men from other provinces—						
Sadar ..	1	3	1	Nil	5	Nil
Kurseong ..	Nil	Nil	Nil	1	Nil	1
Kalimpong ..	1	1	Nil	Nil	2	Nil
Siliguri ..	Nil	Nil	Nil	Nil	Nil	Nil
(*d*) Scheduled Castes—						
Sadar ..	Nil	2	1	Nil	3	Nil
Kurseong ..	Nil	Nil	Nil	Nil	Nil	Nil
Kalimpong ..	Nil	Nil	Nil	Nil	Nil	Nil
Siliguri ..	Nil	1	Nil	Nil	1	Nil
(*e*) Muslims—						
Sadar ..	1	1	2	1	4	1
Kurseong ..	Nil	Nil	1	Nil	1	Nil
Kalimpong ..	Nil	Nil	Nil	Nil	Nil	Nil
Siliguri ..	Nil	Nil	Nil	Nil	Nil	Nil
Total ..	17	41	16	11	74	11

High rate of rents in certain estates in Darjeeling.

165. Mr. DAMBER SINGH CURUNG: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that the leases granted to the two zemindari estates, Ranghbang and Saureni in the district of Darjeeling, are of the same kind, i.e., Tea lease?

(*b*) Are the Government aware—

(*i*) that there were troubles in these two estates between the zemindars and the tenants on account of the high rate of rent for lands, i.e., Rs. 30 to Rs. 50 per acre of land, since 1926;

(*ii*) that the Deputy Commissioner of Darjeeling fixed the rate of rent in Saureni Estate in 1935 to which both the parties agreed and there is no more trouble in that estate; but

(*iii*) that the tenants of Ranghbang Estate were not successful in spite of their several representations to the District authority for settling the rate of rent at the same scale as that of Saureni Estate?

(*c*) Is the Hon'ble Minister aware that the zemindars pay the Government only at the rate of Re. 1 per acre?

(*d*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state why there has been such differential treatment to the tenants of the similar two neighbouring estates under the same kind of lease?

(*e*) Have the Government reserved any right of fixing the rate of rent chargeable from the tenants of a Zemindari Estate from whom the Government get the land revenue at a fixed rate?

(*f*) If the answer to (*e*) is in the negative, do the Government consider the desirability of doing so at least for the agricultural lands?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) to (*c*) Yes.

(*d*) An ejectment suit was filed by Government against the lessee of the Saureni Estate for breach of conditions of the lease and the lessee compromised the case on the terms offered by Government. These terms were accepted by the tenants as well. There was no such suit against the Ranghbang Estate, so similar steps could not be taken there.

(*e*) No.

(*f*) Government are prepared to examine the question but nothing can be done during the currency of the existing lease unless enquiries show that there has been a breach of any of the conditions of the lease and that the penalty for such breach is determination of the lease.

Election of members to the District Board, Rangpur.

168. Babu KSHETRA NATH SINGHA: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) when the term of the present District Board of Rangpur expired;

(*ii*) when the next election is likely to be held; and

(*iii*) the reason for the delay?

(*b*) If the delay is due to the settlement of the question of delimitation of constituencies, is the Hon'ble Minister considering the desirability—

(*i*) of arriving at a decision in consultation with the local members of the legislature;

(*ii*) of making broader division, thana by thana, as far as practicable; and

(*iii*) of not making divisions union by union?

(*c*) Do the Government contemplate expediting the election?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) The five-year term of the present Board expired on the 10th November, 1938.

(*ii*) Under the rules for direct election of members of the District Boards, it will take at least 6 months to hold the election after the constituencies of the District Board have been delimited by Government.

(*iii*) The delay is due to the settlement of the question of delimitation of the constituencies in consultation with the District Board and the local officers of Government.

(*b*) (*i*) Any suggestion from the local members of the legislature that may be received by Government in this connection before they have reached a final decision will be given due consideration.

(*ii*) and (*iii*) The constituencies will be delimited generally in accordance with the principles laid down in Government Circulars Nos. 2133-2137L.S.-G., dated the 12th August, 1938, and 57(5)L.S.-G., dated the 20th January, 1939, copies of which are placed on the Library table.

(*c*) Yes.

Conference of Presidents and members of the Union Boards of Arambagh subdivision, Hooghly.

167. Mr. RADHANATH DAS: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) whether a conference of the Presidents and members of Union Boards of Arambagh subdivision in the district of Hooghly has been convened by the Subdivisional Magistrate of Arambagh to be held in March, 1940;

(*ii*) whether such conference has been held every year for some time past; and

(*iii*) whether the convenor of such conference had been in the past, the President or a member of a Union Board?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) what led the Subdivisional Magistrate of Arambagh to convene the conference of Presidents and members of Union Boards;

(*ii*) whether the conference of Presidents and members of Union Boards of Arambagh subdivision is a democratic body; and

(*iii*) whether the President of such conference is elected by the members of the Union Boards of the Arambagh subdivision or nominated by the Subdivisional Magistrate of Arambagh?

(*c*) If the President of the conference is nominated by the Subdivisional Magistrate of Arambagh, will the Hon'ble Minister be pleased to state whether the opinion of the members of the Union Boards is considered?

(*d*) Is the Hon'ble Minister considering the desirability of instructing the Subdivisional Magistrate of Arambagh of allowing the members of the Union Boards to convene the conference and elect the President thereof?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Yes.

(*ii*), (*iii*) and (*b*) (*i*) Such conference has been held every year for some years past and it has been always convened by the Subdivisional Officer.

(*ii*) This is obviously a matter of opinion but I understand that these conferences are conducted on the usual lines and members have the usual opportunities for moving resolutions and participating in debate.

(*iii*) According to the usual practice, the Union Board Conference is convened at the same time as the Arambagh Agricultural, Industrial and Health Exhibition and the President is selected by the Exhibition Committee which includes Presidents and members of Union Boards.

(*c*) Does not arise.

(*d*) No. But it is open to the Union Boards themselves to take joint action in convening such conference and in electing the President.

Board of Apprenticeship Training Examination.

168. Dr. NALINAKSHA SANYAL: With reference to the reply to the supplementary question to unstarred question No. 31 of the 21st February, 1940, will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) whether he is aware of rule 3 of the printed rules regarding apprenticeship examination which definitely says that the Board of Apprenticeship Training will appoint a committee of three members to moderate the question papers and to review the results of examinations; and

(*b*) if so, what are the reasons for giving a list of six members?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) The member presumably refers to rule 5 of the old rules which provided for the appointment of a committee of three members to act as moderators.

(*b*) Prior to the 16th November, 1937, three moderators were appointed from time to time, from among the technical members of the Board. On the 16th November, 1937, the Board appointed a sub-committee consisting of (1) the President, (2) the Principal, Bengal Engineering College, (3) Superintendent, Ordnance Factories, (4) Chief Mechanical Engineer, Calcutta Port Commissioners, and (5) the Secretary as a permanent panel, any three of whom would form a quorum to act as moderators. On the 14th November, 1938, the Inspector of European Schools was added to the panel. The old rule was however not formally revised till 1939 but as the rules were made by the Board of Apprenticeship Training, their resolutions passed at the meetings of the 16th November, 1937, and the 14th November, 1938, operated as new rules in supersession of the old rule 5. The rules were however formally revised in May, 1939, and rule 3 of the new rules, a copy of which is placed on the Library table, provides for the appointment of a committee of moderators without any limit to the number of members.

Arrangement for prayers in Pabna Jail and Serajganj Sub-Jail.

169. Mr. ABDUR RASCHID MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether there is any arrangement for the Muslim prisoners in the Serajganj Sub-Jail and the Pabna District Jail to perform their *Jumma* and *Id* prayers?

(*b*) If so, are there any permanent *khatibs* to lead such prayers?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) who are the *khatibs* at present;

(*ii*) what is their remuneration; and

(*iii*) from what source the said remuneration is paid?

(*d*) If there are no permanent *khatibs*, is the Hon'ble Minister considering the desirability of appointing two permanent *khatibs* for the said two jails for leading prayers on Fridays and *Id* days?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) There is a permanent *khatib* in the Pabna Jail for leading both *Jumma* and *Id* prayers.

In Serajganj Sub-Jail, there is no permanent *khatib*—but the Principal of the local Islamia Intermediate College deputes one for leading the *Id* prayers—and the prisoners themselves select one of themselves to lead the *Jumma* prayers.

(*c*) (*i*) In Pabna Jail, Maulvi Anwar Ali, the religious instructor was the last *khatib*. His term has expired and a new *khatib* is being appointed In Serajganj Sub-Jail,—does not arise.

(*ii*) A conveyance allowance of Re. 1-8, if claimed.

(*iii*) From the allotment under the head "Other contingent charges" in the Jail budget.

(*d*) This is considered unnecessary at present.

Excavation of Lohajang-Taltola khal in Dacca.

170. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the Government contemplate excavation of the Lohajang-Taltola *khal* within Lohajang and Serajdigha police-stations in the district of Dacca at an early date?

(*b*) If so, when is it expected to materialise?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): A proposal for the re-excavation of the *khal* has been received from the local officers and is under consideration.

Blasphemous writing in the daily "Azad".

171. Srijut NARENDRA NATH DAS GUPTA: (*a*) Has the attention of the Hon'ble Minister in charge of the Home Department been drawn to an article which appeared in the *Azad* (on page 9 of its local issue of the 4th December, 1938), caricaturing the gods and goddesses of the Hindu Pantheon?

(*b*) If so, what action has been taken in the matter?

(*c*) If no action has been taken as yet, do the Government contemplate taking any action against the said newspaper?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) The article has been examined and the propriety of proceeding against the paper considered.

(*c*) No.

Srijut NARENDRA NATH DAS GUPTA: Is the Hon'ble Minister aware that the writing in question contains such blasphemous things against the Hindus as "বর্গের.....

Mr. SPEAKER: I am sorry, you cannot ask for details.

Srijut NARENDRA NATH DAS GUPTA: Why not, Sir?

Mr. SPEAKER: No, you cannot.

Srijut NARENDRA NATH DAS GUPTA: I have got other supplementary questions.

Mr. SPEAKER: I am sorry, I cannot argue with you.

Rai HARENDRA NATH CHAUDHURI: Sir, he is not arguing. He says that he has got other supplementary questions.

Mr. SPEAKER: If he does not accept the Speaker's decision, I cannot argue with him.

Srijut NARENDRA NATH DAS GUPTA: Sir, I am not arguing. I have got other supplementary questions. May I put them?

Mr. SPEAKER: All right, you may.

Srijut NARENDRA NATH DAS GUPTA: Is the Hon'ble Minister aware that the writing in question contains such blasphemous things as blasphemy to the Hindu gods "Siva," "Kali"——

Mr. SPEAKER: You are again asking for details! Government have admitted that, and so you cannot ask for any more details.

Mr. ATUL CHANDRA SEN: On examination of the writing, has it not been found to be full of violent caricature of Hindu gods and goddesses likely to wound the religious susceptibilities of the Hindus?

The Hon'ble Khwaja Sir NAZIMUDDIN: This appeared about nine months or more ago, and at that time there was no Defence of India Act. First of all it is not in accordance with the Government policy to take action against papers after such a long time. Secondly, it has only been recently brought to our notice; and, thirdly, legal opinion is doubtful whether a prosecution would have stood, if action had been taken against them.

Mr. ATUL CHANDRA SEN: Do Government consider the desirability of setting up a committee of eminent Judges to examine the article in question and advise Government as to whether the article is really sacrilegious or not?

The Hon'ble Khwaja Sir NAZIMUDDIN: The article was published nine months ago. That is my reply.

Srijut NARENDRA NATH DAS GUPTA: If any blasphemy occurred nine months ago, will Government not think it necessary to punish the offenders?

Mr. SPEAKER: That is problematic.

Srijut NARENDRA NATH DAS GUPTA: Is it because the author of the article was a Muhammadan that no action was take

Mr. SPEAKER: That question does not arise.

Irrigational improvements in Basirhat and Baraset subdivisions, 24-Parganas.

172. Khan Bahadur A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state how much money the Government of Bengal have spent for irrigational improvements in the subdivisions of Basirhat and Baraset in the district of the 24-Parganas since 1937?

(*b*) Has any survey been made of the lands lying fallow in the said subdivisions?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any schemes have been drawn up for the improvement of those lands?

(*d*) If the answer to (*b*) is in the negative, do the Government contemplate a survey of the said subdivisions to ascertain their irrigational needs?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) A sum of about Rs. 20,000 has been spent since 1937 on the drainage and navigation needs of the subdivisions.

(*b*) and (*c*) I am informed that there is practically no fallow land in the subdivisions, but that there are some low lands which need improvement from the drainage point of view. After completion of the contour survey which is now in progress schemes for the provision of better drainage facilities in these areas can be prepared.

(*d*) Does not arise.

Allotment for road and waterworks in the rural areas of Kurigram subdivision, Rangpur.

173. Kazi EMDADUL HAQUE: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether any allotment from the Central or Provincial revenue has been made during the current year for the road and waterworks in the rural areas of the Kurigram subdivision in the district of Rangpur?

(*b*) If so, will the Hon'ble Minister be pleased to state whether the allotment has been distributed among the contractors?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) who were the contractors,

(*ii*) how many are district men, and how many outsiders, and

(*iii*) what are their educational qualifications?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) My information is as follows in respect of the year 1939-40:—

For road work—Rs. 4,950 out of the contribution paid to the District Board from the Motor Vehicles Tax Fund.

For improvement of village communications including waterways—Rs. 2,000 from the Government of India's grant.

For water-supply—

Rs. 3,500 from Central Government grant.

Rs. 2,335 from Provincial Government grant.

(*b*) Yes.

(*c*) (*i*) (1) Maulvi Nasaruddin Ahmed, (2) Maulvi S. M. Ahmed Hassan, and (3) Babu Phanindra Kumar Bhowmik.

(*ii*) Maulvi Nasaruddin Ahmed and Maulvi S. M. Ahmed Hassan belong to Rangpur district. Babu Phanindra Kumar Bhowmik belongs to Dacca district but is domiciled in Kurigram.

(*iii*) I am informed that none has passed the Matriculation Examination.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is a fact that one Maulvi Giasuddin Ahmed who is a matriculate and a *bonâ fide* inhabitant of the district and has been doing contractor's work under the various union boards including the Kurigram subdivision union board has been approaching the Circle Officer, the Subdivisional Officer, the District Magistrate for contract works at their disposal?

Mr. SPEAKER: I am sorry, Maulvi Sahib, I cannot allow the Legislature to be utilised for the purpose of putting in a claim for one particular person or another unless you can raise it on a specific issue, and I am afraid you are here repeating some of the things which you have to do in other places.

Kazi EMDADUL HAQUE: Is the Hon'ble Minister aware that one Maulvi Giasuddin Ahmed has approached the District Magistrate, the Subdivisional Officer and the Circle Officer for contract work?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister please state whether tenders were called for from the prospective contractors for this work?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: These works were undertaken by the local bodies and I presume tenders were called for.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister please state on what principle these works were distributed?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Sir, I beg to submit that it arises, for the Hon'ble Minister has said that the contracts were distributed to some persons as in answer (*c*) (*i*). We have also learnt as in (*c*) (*ii*) that there were other contractors who were working there.

Mr. SPEAKER: That is for the Rangpur District Board to consider and not for the Government.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether all these works were distributed by the district board only or by the District Magistrate also?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I believe by the district board and by the union boards.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister please state whether there are other contractors besides those mentioned in answer (*c*) (*ii*)?

Mr. SPEAKER: Who have been given contracts?

Kazi EMDADUL HAQUE: Yes, Sir.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: My information, as I have pointed out in my reply (*a*), is that those are the contractors who got some work from the various local bodies.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether there are several other contractors who approached the District Magistrate?

Mr. SPEAKER: That question does not arise.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister please state whether Mr. S. M. Ahmed Hossain has his permanent residence in Cooch Behar——

Mr. SPEAKER: I am afraid this question does not arise. I have told you, Kazi Sahib that if it was a responsibility of Government I

would have permitted you to put this question, but I cannot allow the Legislature to interfere with the work of the local bodies, unless it comes within the legitimate rights of the Government to interfere.

Kazi EMDADUL HAQUE: Is it not a fact that the distribution of the contract works was at the disposal of the District Officers themselves?

Mr. SPEAKER: But the Hon'ble Minister does not accept it; he says it is the union boards and the district boards that distributed the works.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that the Hon'ble Minister says, "I think" or "probably," but he has not said so definitely.

Mr. SPEAKER: But relying on what you call a probability, I cannot allow the question.

Dr. NALINAKSHA SANYAL: Let him make sure of his own position.

Mr. SPEAKER: That is another thing.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether he is aware that these works were distributed by the District Magistrate?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I think the water-supply contract may have been given by the Collector.

Dr. NALINAKSHA SANYAL: "I think" and "may have been".

Mr. SURENDRA NATH BISWAS: On what principle the water-supply works were distributed?

Mr. SPEAKER: It is not permissible to ask such a question. I hope you will realise that if Government entrust certain works for rural development with local officers you must allow them a certain discretion and you cannot interfere unless there is gross abuse. You cannot ask as to how a particular officer exercises his discretion. The Legislature has the right to interfere in respect of the commission of an act which is against the rules, but not with regard to the commission of an act which is within the rule.

Mr. SURENDRA NATH BISWAS: That is why, Sir, I ask what principle has been followed by the officer in allotting the contracts?

Mr. SPEAKER: That is a matter for discretion.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he will be prepared to enquire where favouritism has been shown by the District Magistrate in allotting contracts?

Mr. SPEAKER: That question does not arise. You cannot assume that.

Kazi EMDADUL HAQUE: The discretion may have been exercised arbitrarily in this case.

Mr. SPEAKER: Well, discretion when it is exercised is always exercised in a more or less arbitrary fashion.

Kazi EMDADUL HAQUE: Here is a contractor who is a *bona fide* inhabitant of the district, and is also a matriculate——

Mr. SPEAKER: I am afraid your question is not in the proper form. Your question ought to have been whether these works had been distributed to non-Rangpur men in preference to Rangpur men. That is a question of principle and you can ask a question on that basis. Don't bring in Giasuddin Ahmed or Raisuddin, etc. We are not interested in any person; we are only interested in the principle.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister please state whether preference has been shown to non-Rangpur men as against Rangpur men?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: That is not my information.

Grants to dispensaries in Baraset and Basirhat subdivisions, 24-Parganas.

174. Khan Bahadur A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Public Health Department be pleased to state whether any direct grant is given to any of the dispensaries in the subdivisions of Basirhat and Baraset?

(*b*) If so, how much and to which dispensaries?

(*c*) Is there any provision for free distribution of quinine by the Government?

(*d*) Will the Government be pleased to state whether the activities of the department were exhibited in any other form in these subdivisions, except making some grant in the Dhankuria Maternity Home this year, since the present Government came into office?

(*e*) If so, will the Hon'ble Minister be pleased to lay on the table a statement showing the details of such activities?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes; some of the dispensaries in the subdivisions of Basirhat and Baraset are in receipt of Government grant.

(*b*) and (*e*) Statements are laid on the table.

(*c*) Yes; under the existing policy of Government arrangements are made for free distribution of quinine through Hospitals and Dispensaries, Health Circles, Kala-azar Centres and also through other agencies such as Union Boards, Schoolmasters, Co-operative Societies, Debt Settlement Boards etc.

(*d*) Yes.

Statement referred to in the reply to clause (b) of unstarred question No. ...

BASIRHAT SUBDIVISION.

	Dispensaries.	Amount of grant by Government.	
		Rs.	
1.	Basirhat	.. 30	(For supplying medicines to Government officers.)
2.	Rudrapur	.. 250	
3.	Sandeshkhali	.. 500	
4.	Bhabla	.. 250	
5.	Minakhan	.. 250	
6.	Hakimpur Bithari	.. 250	
7.	Saguna	.. 250	
8.	Charghat	.. 250	
9.	Narayanpur	.. 250	
10.	Jadurhati	.. 250	
11.	Rameshwarpur	.. 250	
12.	Dholtukuri	.. 250	
13.	Shibhati	.. 250	
14.	Malangapara	.. 250	
15.	Sikrakulingram	.. 250	
16.	Gopalpur	.. 250	

BARASET SUBDIVISION.

1.	Baraset	.. 35	(For supplying medicines to Government officers.)
2.	Amdanga	.. 500	
3.	Kotra	.. 250	
4.	Deulia-Deganga	.. 500	

Statement referred to in the reply to clause (e) of unstarred question No. 174.

With the object of (1) teaching the people the laws of public health, (2) placing before them improved processes of agriculture and manufacture of agricultural products, (3) creating in them an interest in cottage industry, (4) placing before them the various beneficent activities of Government, the Government of Bengal organised in 1932, 12 parties fully equipped with cinema outfits. Each party consisted of a trained lecturer, an operator and a peon. The lecturers exhibited films mostly prepared under the guidance of the Publicity Department and made them a basis for a talk on the general political and economic situation. Local representative officers of different departments of Government, such as Agriculture, Co-operative, Industries, Public Health, etc., also joined these parties with a view to utilising these occasions for imparting expert advice in matters relating to their respective departments. This method of educative propaganda having proved an unqualified success, the Government of Bengal have arranged to extend the scheme further for more extensive educative propaganda. In accordance with this decision, the original 12 cinema parties have been recently replaced by 21 "National Welfare Units".

The original cinema parties worked for 20 days in 1937, and 41 days in 1938 in the two subdivisions of Basirhat and Baraset.

One of the National Welfare Units has been detailed for work in the district of 24-Parganas and will work in these two subdivisions according to the programme drawn up by the District Magistrate, 24-Parganas.

A list of films relating to public health which was shown by the lecturers is appended.

LIST OF FILMS ON HEALTH SUBJECTS.

Serial No.	Name of the film.
	Maternity and Child Welfare.
A 1.	"Debdut".
*A 2.	Malaria—its spread, prevention and cure.
*A 3.	Tuberculosis—its spread, prevention and cure.
A 4.	Smallpox.
*A 5.	Cholera—its spread and control—"Haba".
A 6.	Mother and Child.
A 7.	Quinine—Production and distribution.

Serial No.	Name of the film.
K 8.	Leprosy—its control.
K 9.	Care of the Growing Child.
K 10.	Smallpox.
K 11.	Village Sanitation.
A 12.	Woman's role in National Health.
	Foreign.
	Care of Babies.
	Infant Welfare Centre
	Motherhood.
	Malaria (American).
	Malaria (Italian).
	Tuberculosis (French).
	Tuberculosis (U. S. A.).
	Smallpox (U. S. A.).
	One scar or many (Smallpox).
	Kala-azar.
	Milk.

Communal ratio in clerical services in Civil Courts, Rangpur.

175. Babu KSHETRA NATH SINGHA: (*a*) Will the Hon'ble Minister in charge of the Legislative and Judicial Department be pleased to state the number of clerks existing at present in Civil Courts in the district of Rangpur who are—

(*i*) Caste Hindus,

(*ii*) Muslims, and

(*iii*) Scheduled Castes?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the ratio question fixed for the district by Government is being observed by the local authorities; and

(*ii*) what action the Government contemplate taking for the observance of the ratio question?

(*c*) Is it in the contemplation of Government to appoint a Service Committee consisting of the members of the Legislature in each district for advising the local officers in cases of appointments?

MINISTER in charge of the LEGISLATIVE and JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) (*i*) 72.

(*ii*) 33.

(*iii*) 9.

(*b*) (*i*) Yes.

(*ii*) Does not arise.

(*c*) No.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state how many clerks have been taken from the time when the communal ratio was enforced?

Mr. SPEAKER: Maulvi Sahib, what I think about this question—about the percentage of appointments—is that they should cease to be put.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not know how that question comes in. But so far as this question is concerned, it is a very vague question, and the question is whether these appointments were made before or after the 17th of March, 1939. If the honourable member wants any information on that particular point, I hope he will give me notice, and I will answer that in due course.

Theft cases in Burichang and Kasba police-stations in Tippera.

176. Mr. MAQBUL HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to lay on the table a statement showing separately year by year, from 1937 to 1939—

(*i*) the total number of theft cases that have occurred in Burichang and Kasba police-stations in the district of Tippera;

(*ii*) amounts of loss sustained by thefts in those two thanas;

(*iii*) the number of persons who had been tried by the courts; and

(*iv*) the number of persons released?

(*b*) What steps do the Government intend to take for the prevention of thefts in the area?

(*c*) Do the Government contemplate the desirability of watching the movements of the suspicious persons?

(*d*) If so, do the Government contemplate the deputation of a Police patrol at night at least once in a fortnight to each village of the area?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) A statement is laid on the table.

(*b*) The usual preventive measures are enforced.

(*c*) This is done regularly as far as is possible with the force available.

(*d*) Patrols are sent out at irregular intervals to all crime affected areas.

Statement referred to in the reply to clause (a) of unstarred question No. 176.

Year.	Total number of theft cases that have occurred.	Amount of loss sustained by theft.	The number of persons who had been tried by the courts.	Number of persons released.
		Burichang police-station.		
		Rs. a. p.		
1937	48	3,735 15 0	9	6
1938	84	2,346 13 3	23	4
1939	72	4,814 13 0	16	6
		Kasba police-station.		
1937	62	4,049 15 9	20	4
1938	100	7,589 1 6	26	2
1939	97	7,184 2 6	56	3

Scheme for scaling down co-operative debts of members of societies.

177. Mr. ABDUL KARIM: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether the scheme relating to scaling down of the co-operative debts of members of societies granting them long instalment for repayment and Government financial assistance to pay off the depositors' money to the extent of good assets of the societies as was announced in the last session of the Assembly to be under the consideration of the Government has since been given effect to?

(*b*) If not, will the Hon'ble Minister be pleased to state the reasons for delay?

(*c*) Is the Hon'ble Minister aware that the delay has an adverse effect on the activities of the Central Banks at this time when there is serious contraction of credit in rural areas?

(*d*) If the reply to (*c*) is in the affirmative, will the Hon'ble Minister consider the desirability of giving effect to the scheme before the next cultivation season?

(*e*) Will the Hon'ble Minister be pleased to state the amount of short term loan that was advanced to Provincial Bank last year?

(*f*) When was the instalment of repayment of this loan fixed?

(*g*) How much of this loan has been realised up to date?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Not yet.

(*b*) The scheme has required more careful examination.

(*c*) I am aware that the Central Banks are experiencing difficulties.

(*d*) The matter is still under examination.

(*e*) Rs. 13½ lakhs.

(*f*) Rs. 7 lakhs by the 3rd July, 1940. The balance by the 5th July, 1940.

(*g*) Rs. 10 lakhs.

Mr. HARENDRA NATH DOLUI: The Hon'ble Minister has stated in his answer that the Central Banks are experiencing difficulties: will he please say what are those difficulties?

The Hon'ble Mr. TAMIZUDDIN KHAN (on behalf of the Hon'ble Mr. Mukunda Behary Mullick): Sir, the difficulties are mentioned in the question itself.

Conduct of scheduled banks in mufassal areas.

178. Dr. SANAULLAH: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the number of amalgamations of loan offices; and

(*ii*) the total amount of assets purchased by each of the Scheduled Banks after the passing of the Bengal Agricultural Debtors Act, 1935?

(*b*) Are the Government aware that the Scheduled Banks are taking the undue advantage of the saving clauses of the Act and are bringing suits in the Civil Courts against the helpless agriculturists denying them the privilege of the Bengal Agricultural Debtors Act?

(*c*) Is it a fact that the Scheduled Banks are obtaining decree against the agriculturists for double the original debts to their respective loan offices specially in the district of Tippera?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) Five loan offices have been amalgamated with three Scheduled Banks, all in Tippera district.

(*ii*) I have no information.

(*b*) Such complaints have been received with regard to one bank only—the Nath Bank in Noakhali district: the complaints are still under investigation.

(*c*) No.

Grant of land to retired Gurkha military officers at Darjeeling.

179. Mr. DAMBER SINGH GURUNG: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that the retired Gurkha Military Officers' Association at Darjeeling submitted a memorial to His Excellency the Governor of Bengal some years back for granting lands to the retired Military men and for opening of colonies for them at suitable centres in the district of Darjeeling;

(*ii*) that the Association is approaching the Government almost every year with their prayer; and

(*iii*) that these retired men who spent the major portion of their lives in rendering service to the Government are living on small pensions, and are scattered throughout the district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he proposes to take to ameliorate their condition of life?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes; this was in September, 1938.

(*ii*) Yes.

(*iii*) I understand that their pensions vary in accordance with their terms of service. They are not concentrated in any one part of the district.

(*b*) Their memorial is still under the consideration of Government.

Repayment of agricultural loans in certain parts of Serajganj subdivision.

180. Mr. ABDUR RASCHID MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that the Government have decided to realise the agricultural loans granted to the people of Shahzadpur, Chouhali and Belkuchi police-stations, Serajganj subdivision in the Pabna district?

(*b*) Has it been ascertained whether the people have reached their normal conditions?

(*c*) If the answer to (*b*) is in the negative, is the Hon'ble Minister considering the desirability of postponing the collection of the agricultural loans during the period of economic distress existing as at present?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*b*) Yes.

(*c*) Does not arise.

Census of infirm persons.

181. Mr. NISHITHA NATH KUNDU: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) whether it is a fact that there will be no census of the blind, deaf and dumb and other infirm persons in the Province in the coming Census;

(*ii*) whether the Provincial Government have received any direction about census of infirm persons in the Province; and

(*iii*) if so, what is that?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action the Government have taken for the census of infirm persons during the coming Census as was done in the previous Census?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) The Government of Bengal have no information in the matter.

(*ii*) No. The directions regarding the Census are issued, not to the Provincial Government, but to the Census Superintendent who is an officer working directly under the Government of India. The Provincial Government issue no instructions to him.

(*iii*) and (*b*) Do not arise.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state whether or not this Provincial Government has anything to do in the matter of the census that is going to take place in the year 1941?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, we have nothing to do directly with the census.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what function the Government will have to do in this matter indirectly?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: We merely act as the agent of the Government of India in certain matters.

Mr. NISHITHA NATH KUNDU: In view of the importance of the matter regarding the census of the blind, infirm and the deaf and dumb, do not the Government think it desirable that the Government of India should be approached——

Mr. SPEAKER: Why do you think that the Government of India are blind to the blind?

Mr. NISHITHA NATH KUNDU: I cannot give out information, but I have positive information from a responsible Government officer that they are not going to take a census of the blind, deaf and dumb and infirm. It will be a great loss to the province if a census of these persons is not taken. So I am asking the Provincial Government as to whether they do not think it advisable to take the initiative in this matter and induce the Government to take a census of the infirm and blind in this province.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If they come to such a decision that will be, I think, an all-India decision, and I do not think that the Provincial Government has got anything to do with it directly. But if it is the desire of the House that we should bring it to the notice of the Government of India, I think Government may consider that proposal.

Sub-Inspector of Schools for the Srinagar Circle.

181A. Mr. DHANANJOY ROY: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how long the present Sub-Inspector of Schools for Srinagar Circle has been in service;

(*ii*) when his retirement is due; and

(*iii*) what is his educational qualification?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*i*) Since 23rd September, 1915.

(*ii*) On 16th December, 1945.

(*iii*) F.A., L.T. (Trained in Physical education.)

Hostels for girls' schools in Calcutta.

181B. Mr. ANUKUL CHANDRA DAS: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that many of the girls' schools and hostels in the city of Calcutta are privately managed proprietory institutions;

(*ii*) that they are run in the interest of the proprietors;

(*iii*) that many guardians living in mufassal send their girls to these schools and hostels; and

(*iv*) that girls' schools and girls' hostels have recently been on the increase in the city of Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, he proposes to take for checking the growth of these institutions?

(*c*) Do the Government contemplate issuing instructions to the effect that students may reside in the attached hostels, other than in private girls' hostels, as required by the rules of the School Code?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) No.

(*ii*) No.

(*iii*) Does not arise.

(*iv*) Yes.

(*b*) and (*c*) Do not arise.

STARRED QUESTIONS

(to which oral answers were given)

Free Primary Schools in Tippera.

***328. Mr. DHIRENDRA NATH DATTA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing separately in each thana of the Tippera district since the imposition of Education Cess up till the end of January, 1940—

(*i*) the number of Free Primary Schools established;

(*ii*) the number of schools which existed in the district at the time the Education Cess was imposed;

(*iii*) the number of students on the rolls of the schools on the 31st December, 1939;

(*iv*) the number of teachers appointed for those schools since the imposition of Education Cess;

(*v*) the number of them that are—

(1) Hindus, and

(2) Muslims; and

(*vi*) the number of teachers belonging to the—

(1) Scheduled Castes, and

(2) the communities in Hindu society which are backward in education but not included in the Scheduled Castes.

(*b*) How were the teachers appointed?

(*c*) Whether any examination was held in selecting the candidates?

(*d*) If so, by whom and how was the examination held?

(*e*) What are the monthly salaries of those teachers?

(*f*) What is the amount of Education Cess realised up to December, 1939, in the district?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*)(*i*) to (*vi*) Statements are laid on the table.

(*b*) Teachers have been provisionally appointed by the President on the recommendation of the local educational officers.

(*c*) Yes.

(*d*) By the District Inspector of Schools in 15 different centres of the district.

(*e*) Head Pandit Rs. 12; Second Pandit Rs. 10; Third Pandit Rs. 8.

(*f*) Rs. 3,96,181.

Statements referred to in the reply to clause (a) (i) to (vi) of starred question No. 328.

(I)

STATEMENT OF PRIMARY SCHOOLS UNDER THE TIPPERA DISTRICT SCHOOL BOARD, WITH NUMBER OF PUPILS.

Thana.	Boys.		Girls.	
	Number of schools.	Number of pupils.	Number of schools.	Number of pupils.
1. Burichang ..	130	7,842	84	2,382
2. Homna ..	154	8,506	85	2,531
3. Faridganj ..	119	11,642	81	3,857
4. Bancharampur ..	131	6,703	66	1,986
5. Nasirnagar ..	125	5,988	75	1,769
6. Daudkandi ..	185	9,307	88	2,488
7. Brahmanbaria ..	151	8,344	84	2,925
8. Hajiganj ..	131	8,274	71	2,587
9. Chandina ..	149	10,658	73	2,580
10. Nabinagar ..	142	9,165	75	2,856
11. Kachua ..	139	10,163	81	2,569
12. Kotwali ..	130	7,112	68	2,242
13. Debidwar ..	123	7,120	62	1,855
14. Laksam ..	158	10,153	77	2,338
15. Chouddagram ..	175	9,874	96	3,110
16. Matlabganj ..	166	12,021	83	2,650
17. Kasba ..	121	9,048	66	1,752
18. Chandpur ..	154	10,754	97	4,121
19. Muradnagar ..	138	7,879	70	2,256
Total ...	2,721	170,553	1,482	48,863

(II)

STATEMENT SHOWING THE NUMBER OF FREE PRIMARY SCHOOLS SANCTIONED BY THE DISTRICT SCHOOL BOARD AND THE NUMBER OF TEACHERS SERVING IN THEM, ACCORDING TO CASTE, IN THE DISTRICT OF TIPPERA.

Thana Sub-Inspectorate.	Number of Free Primary Schools.	Number of teachers.		
		Hindus.	Muslims.	Total.
1. Comilla ..	14	9	32	41
2. Burichang ..	45	33	107	140
3. Debidwar ..	21	19	43	62
4. Chandina ..	33	23	76	99
5. Laksam ..	21	19	41	60
6. Chouddagram ..	25	19	49	68
7. Muradnagar ..	46	44	85	129
8. Daudkandi ..	30	25	64	89
9. Homna ..	27	7	72	79
10. Chandpur ..	30	27	51	78
11. Kachua ..	58	50	119	169
12. Faridganj ..	45	25	110	135
13. Matlabganj ..	49	29	111	140
14. Brahmanbaria ..	46	34	93	127
15. Kasba ..	55	72	87	159
16. Nabinagar ..	60	43	135	178
17. Nasirnagar ..	31	38	33	71
18. Banchharampur ..	30	20	69	89
19. Haziganj ..	44	20	112	132
Total ..	710	556	1,489	2,045

Note.—512 schools are awaiting sanction of the District School Board. Besides, there are 563 boys' and 420 girls' schools receiving grants-in-aid or stipends from the School Board.

(III)

STATEMENT SHOWING THE TEACHERS OF SCHEDULED CASTES AND EDUCATIONALLY BACKWARD HINDUS.

Name of the thana.	Teachers.	
	Scheduled Castes.	Educationally Backward Hindus.
1. Burichang ..	2	Nil
2. Homna ..	7	10
3. Faridganj ..	6	Nil
4. Bancharampur ..	4	6
5. Nasirnagar ..	9	12
6. Daudkandi ..	3	1
7. Brahmanbaria ..	3	10
8. Hajiganj ..	2	1
9. Chandina ..	15	12
10. Nabinagar ..	11	8
11. Kachua ..	7	18
12. Kotwali ..	7	2
13. Debidwar ..	2	Nil
14. Laksam ..	3	25
15. Chouddagram ..	1	4
16. Matlabganj ..	6	Nil
17. Kasba ..	10	Nil
18. Chandpur ..	11	4
19. Muradnagar ..	6	3
Total ..	115	116

Mr. DHIRENDRA NATH DATTA: With reference to question (*a*) (*ii*), will the Hon'ble Minister be pleased to state the number of schools which existed in the district at the time the education cess was imposed?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, through a mistake the number has not been given.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to give us the information?

The Hon'ble Mr. A. K. FAZLUL HUQ: The number was perhaps slightly greater.

Mr. DHIRENDRA NATH DATTA: I want to know the exact number.

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already said that it is through a mistake the number has not been given.

Mr. SPEAKER: I think what has been done is the answer to (*a*) (*i*) is given in Statement (II) and the answer to (*a*) (*ii*) is given in Statement (I).

Mr. DHIRENDRA NATH DATTA: The numbers do not agree. In Statement (I), the number of boys' and girls' schools is shown as 2,721 and 1,482, respectively, and in the Statement (II) the number of schools shown is 710. In the *Note* it is said "512 schools are awaiting sanction of the District School Board. Besides, there are 563 boys' and 420 girls' schools receiving grants-in-aid or stipends from the School Board." If they are added together the number comes to 1,785.

Mr. SPEAKER: I am almost certain that the total number of primary schools which is shown here as 4,100 is not correct.

Mr. DHIRENDRA NATH DATTA: I don't know that, Sir. All I say is that the statements do not agree.

Mr. SPEAKER: I am certain that the statements have been wrongly given.

The Hon'ble Mr. A. K. FAZLUL HUQ: Obviously there has been some mistake and, therefore, it is not possible to give the information.

Dr. NALINAKSHA SANYAL: If that is the position, the question can be held over.

Grant-in-aid to Middle English Schools and Madrassahs in Pabna.

***329. ABDUR RASCHID MAHMOOD:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the names of—

(*i*) Madrassahs (Senior and Junior); and

(*ii*) Middle English Schools

at present in the district of Pabna?

(*b*) Do any of them get any grant-in-aid from the Government?

(*c*) If so, will the Hon'ble Minister be pleased to state—

(*i*) their names; and

(*ii*) the amount of monthly grant received by each of them?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) to (*c*) Statements giving the information are laid on the table.

Statement referred to in the reply to clause (a) of starred question No. 329, showing the names of Madrassahs and Middle English Schools in the Pabna district.

MADRASSAHS.

Senior.

(1) Sirajganj.
(2) Sirajganj Islamia.
(3) Char Songacha.
(4) Kamarkhond.

Junior.

(1) Pabna Islamia.
(2) Degreerchar.
(3) Nakalia.
(4) Tarabari.
(5) Talimnagar.
(6) Natiabari.
(7) Hadal.
(8) Saratnagar.
(9) Shibpur Taha.
(10) Dhulauri.
(11) Bera Coronation.
(12) Beara Nur Nabi.
(13) Barahar Islamia.
(14) Chinadhukuria.
(15) Enayetpur.
(16) Sambhudia.
(17) Tamai.
(18) Ullapara.
(19) Matiarpur.
(20) Ulat Chandipur.
(21) Jamtoil Dhopakandi.
(22) Natuarpara S. B.
(23) Krishnapur Girls'.

MIDDLE ENGLISH SCHOOLS.

(1) Pabna Goswamy.
(2) Pabna Binapani.
(3) Ataikola.
(4) Bera.
(5) Bhangura P. N.
(6) Dogachi.
(7) Digha-Salimpur.
(8) Masumdia.
(9) Pakoria.
(10) Parshadanga.

(11) Ratanganj.
(12) Sujanagar.
(13) Santhia.
(14) Tantiband.
(15) Banserbada.
(16) Raghunathpur.
(17) Sagarkandi.
(18) Sinduri.
(19) Bagmara.
(20) Haturia-Jagannathpur.
(21) Badal Binapani.
(22) Sankaripara.
(23) Bemra.
(24) Khanpura.
(25) Raninagar.
(26) Atghoria.
(27) Beltoil.
(28) Dariapur-Victoria.
(29) Deluah.
(30) Garadaha.
(31) Gandhail.
(32) Hatkora.
(33) Kazipur.
(34) Pangashi.
(35) Rajapur.
(36) Saidabad.
(37) Talgachi.
(38) Chouhali Islamia.
(39) Ghatabari-Baoikhola.
(40) Maltidanga.
(41) Mugbelai Lutfia.
(42) Sonatani.
(43) Sonamukhi.
(44) Bhatpeary Jaoharmall.
(45) Hatboyra.
(46) Mesra.
(47) Bhadraghat.
(48) Baidya Dogachi.
(49) Sthal Naohatta.
(50) Bhanudanga.
(51) Dhubil.
(52) Sirajganj.
(53) Punthia.
(54) Betil Union.
(55) Katarbari.
(56) Konabari Ishaque.
(57) Sujapur Saleha-Ishaque.
(58) Goyhatta.
(59) Baniaganti.
(60) Khas Sonamukhi.
(61) Thuntia Islamia.
(62) Bastul Ishaque.
(63) Kaijuri.
(64) Purnimaganti.
(65) Khaschar Alipur.
(66) Taras Ishaque.
(67) Matia Malipara.
(68) Sealkole.
(69) Jajira.
(70) Tarakandi.
(71) Juktigacha.
(72) Mirzapur.
(73) Brahmagacha.
(74) Nimgachi.
(75) Salanga.
(76) Sirajganj Gouri Girls'.

Statement referred to in the reply to clauses (b) and (c) of starred question No. 329, showing the amount of monthly grant given to Madrassahs and Middle English Schools in the district of Pabna.

	Amount of grant. (Per month.)
	Rs.
Senior Madrassahs—	
(1) Sirajganj	270
(2) Sirajganj Islamia	75
(3) Kamarkhond Old	50
Junior Madrassahs—	
(1) Pabna Islamia	30
(2) Nakalia	35
(3) Tarabari	35
(4) Talimnagar	35
(5) Natibari	35
(6) Beara	35
(7) Berahar	35
(8) Chinadhukuria	30
(9) Enayetpur	35
(10) Sambhudia	60
(11) Tamai	35
(12) Ullapara	45
(13) Krishnapur Girls'	100
iddle English Schools—	
(1) Bhangura	25
(2) Dogachi	26
(3) Masumdia	25
(4) Pakoria	32
(5) Dariapur Victoria	40
(6) Gandhail	35
(7) Digha-Salimpur	25
(8) Talgachi	25
(9) Goyhatta	25
10) Konabari	25

Babu MADHUSUDAN SARKAR: In view of the fact that very few Middle English Schools have been enjoying grants-in-aid from Government, will the Hon'ble Minister be pleased to state whether Government will be ready to give grants-in-aid to more Middle English Schools if the authorities of those schools approach Government?

The Hon'ble Mr. A. K. FAZLUL HUQ: This question was raised on a previous occasion and the Director of Public Instruction has been provided with more funds to give increased grants for Middle English Schools.

Mr. SPEAKER: The House will now take up starred question No. 333.

Rise in prices of foodstuffs commonly used by industrial workers in Bengal since the outbreak of the war.

***333. Dr. SURESH CHANDRA BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state the percentage of rise in prices since the outbreak of war of foodstuffs and necessaries of life such as rice, flour, *atta*, sugar, oil (mustard and kerosine), *ghee*, *dhoti*, cereals, coal, soap (washing), matches, betelnut, and *biri*?

(*b*) Is the Hon'ble Minister aware—

(*i*) that such a rise in prices of foodstuffs and necessaries of life has affected the condition of the working class;

(*ii*) that their wages have not been increased; and

(*iii*) that they have not been given any war bonus?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government have taken or they intend to take to alleviate the distress of the working class in Bengal caused by the rise in price?

(*d*) Do the Government contemplate immediate measures for securing war bonus unto the Factory workers proportionate to increase in prices?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) The honourable member is referred to the Government Press Communique of the 11th March, 1940, which shows the present position of the prices of the commodities commonly used by the industrial workers in Bengal, a copy of which is laid on the Library table.

(*b*) (*i*) According to our present calculations the rise in the cost of living is between 7 to 8 per cent., and to that extent there has been a change.

(*ii*) and (*iii*) In some cases wages have been increased; and in some others war bonus has been given.

(*c*) and (*d*) Do not arise.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state why in the Government Press communiqué, a copy of which has been laid on the Library Table, in respect of August only wholesale prices have been given whereas in respect of current prices both wholesale and retail prices have been given?

The Hon'ble Mr. H. S. SUHRAWARDY: We were not so meticulous in those days before the war in ascertaining both wholesale and retail prices as we are now.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state whether it was easy and possible for Government officers to find out from the actual account books of shop-keepers the retail prices for that time?

Mr. SPEAKER: That question does not arise. It will be very difficult to get it. I will ask you to find it out yourself.

Dr. SURESH CHANDRA BANERJEE: That information can be found out, Sir.

Mr. SPEAKER: That is an expression of opinion.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state why in the case of August only one price for one commodity has been given whereas in the case of current prices, both wholesale and retail, several prices have been given?

The Hon'ble Mr. H. S. SUHRAWARDY: The reply is the same. We are more careful now than we were before the war.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state how is it possible to work out the percentage if such different figures are given?

The Hon'ble Mr. H. S. SUHRAWARDY: I have explained that twice on the floor of the House.

Death of Nurujaman, a worker of Dayamoyee Jayanti Sugar Mill at Kishoreganj.

*335. **Maulvi ABDUL HAKIM (Mymensingh):** (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state whether it is a fact—

(*i*) that one Nurujaman, a worker of Dayamoyee Jayanti Sugar Mill, Kishoreganj, died of injuries on the 6th February, 1940;

(*ii*) that he was cleaning the "box carrier" when the machinery was not in motion;

(*iii*) that the Chief Engineer and Electrical Engineer came at that time to examine the machinery;

(*iv*) that on the order of the Chief Engineer the Electrical Engineer put the machinery in motion without warning to Nurujaman;

(*v*) as a result Nurujaman was crushed to death then and there;

(*vi*) that the incident occurred at about 12 noon;

(*vii*) that the police came at 4 p.m., and the Subdivisional Officer came for enquiry after sunset;

(*viii*) that the mill authorities removed the workers from the mill when the Subdivisional Officer came for enquiry;

(*ix*) that the Subdivisional Officer could not and did not take the evidence of the eye witnesses; and

(*x*) that a petition was submitted to the Subdivisional Officer by Abdul Wodood Choudhury, Pleader, on behalf of the cousin of Nurujaman?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what steps the Government have taken to find out for whose fault a life was lost; and

(*ii*) whether the Hon'ble Minister proposes to hold an enquiry into the matter?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) (*i*) Yes.

(*ii*) The worker was cleaning not the "box carrier," but the "mill-crushing rollers" which at that time were not working, and when the bagasse carries just below them were in motion.

(*iii*) The mill has no post designated "Electrical Engineer." The Chief Engineer was then outside the mill house inspecting the cane carrier.

(*iv*) Does not arise.

(*v*) No. Nurujaman's death was purely accidental. While cleaning the rollers he lost his balance and fell into the pit below in which bagasse was being delivered, and thence taken to the boilers by means of a carrier which was then in motion. The deceased was entangled in the carrier mechanism, and the injuries thus sustained caused his instantaneous death.

(*vi*) The accident occurred about 15 minutes after 12.

(*vii*) The police came at about 3 p.m. and the Subdivisional Officer after dusk.

(*viii*) No. The workers were there when the Subdivisional Officer came.

(*ix*) No. The Subdivisional Officer did take the evidence of some of the eye-witnesses.

(*x*) No. There is no such petition on the file of the Subdivisional Officer.

(*b*) (*i*) and (*ii*) The deceased came by his death through his own negligence, and while regretting it very much, Government do not consider that the incident calls for any action.

UNSTARRED QUESTION

(to which answer was laid on the table)

Arrests made in connection with Government measure to control profiteering.

183. Dr. NALINAKSHA SANYAL: With reference to the reply to supplementary question to starred question No. 54 of the 22nd February, 1940, will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

(*a*) why Dr. Nalini Ranjan Sen Gupta was arrested;

(*b*) what business connection has he to influence the rise in prices; and

(*c*) whether the gentlemen arrested or some of them were required to be present in Magistrate's Court on any date after their arrest?

The Hon'ble Mr. H. S. SUHRAWARDY: (*a*) and (*b*) Dr. Nalini Ranjan Sen Gupta was connected as a responsible Director with certain firms controlling the distribution of certain essential supplies of medicines, some of which firms according to information available were concerned in the attempt to raise prices thus causing fear and alarm to the public and prejudicing public safety and interest.

(*c*) They were arrested and discharged, and were not required to be present in Court.

Dr. NALINAKSHA SANYAL: With reference to answer (*a*) and (*b*), will the Hon'ble Minister be pleased to state what does he mean by a responsible director? Was Dr. Nalini Ranjan Sen Gupta a Managing Director of the firms mentioned?

The Hon'ble Mr. H. S. SUHRAWARDY: That is more than I can say. But Dr. Nalini Ranjan Sen Gupta, I take it, is a responsible person and he is a director and, as a director, he presumably discharges his responsibilities and may be held responsible.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if all the directors similarly placed were placed under arrest or was it not particularly Dr. Sen Gupta who was picked out?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir. Many persons were arrested.

Dr. NALINAKSHA SANYAL: If Dr. Nalini Ranjan Sen Gupta was among all the directors, I would like to know if all other directors were placed under arrest?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe, Dr. Nalini Ranjan Sen Gupta was a responsible director connected with four such firms, and not with one firm only.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what are those firms?

The Hon'ble Mr. H. S. SUHRAWARDY: I am sorry, I have not the file with me, but looking through the file, I remember, there were four firms named in the file. That is why I have said "certain firms". I take it that Dr. Sanyal does not need such overdrastic action as to require Government to arrest all the responsible directors of all the four firms.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why Dr. Nalini Ranjan Sen Gupta was particularly picked out to be arrested at an unearthly hour?

The Hon'ble Mr. H. S. SUHRAWARDY: Apparently, the officers who arrested him were in receipt of information that Dr. Sen Gupta was more connected with these firms and more responsible for their action and their policy than others were.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state what was the information like?

The Hon'ble Mr. H. S. SUHRAWARDY: That is what the officers possess and not I.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what enquiry, if any, was made before the arrest of Dr. Nalini Ranjan Sen Gupta to ascertain whether he had any connection with the fixing of prices of articles of those firms?

The Hon'ble Mr. H. S. SUHRAWARDY: I take it that the officers who were responsible for the arrest of Dr. Sen Gupta took precautions to ascertain that Dr. Sen Gupta knew something about the prices and influenced them.

Dr. NALINAKSHA SANYAL: With reference to "certain essential supplies" mentioned in his reply, will the Hon'ble Minister be pleased to state what were the commodities over which Dr. Nalini Ranjan Sen Gupta was alleged to have some influence in the raising of prices?

The Hon'ble Mr. H. S. SUHRAWARDY: The words in my reply are not merely "essential supplies," but as Dr. Sanyal will find it is "essential supplies of medicines," and therefore, it was with reference to articles of medicine.

Dr. NALINAKSHA SANYAL: What particular articles?

The Hon'ble Mr. H. S. SUHRAWARDY: Dr. Sanyal must know that about that time the prices of certain articles, *e.g.*, injections and other medical goods, rose beyond all proportion to their cost and to their value and the officers of Government felt that if patients were deprived of such things as medicines and injections, it certainly was something which interferred considerably with and prejudiced considerably the public interest.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if these articles were in the list of essential commodities or articles with regard to which profiteering was advised to be stopped by the Government of India?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, Dr. Sanyal should remember that the Government of India advised that the prices of all medicines and medical appliances should be brought under control.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what was the nature of the information on the basis of which Dr. Sen Gupta was considered to be influencing the rise of prices of essential supplies of medicines?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not know the details and cannot know the details. It is clear that Dr. Sen Gupta is a responsible director of four different firms that deal in the supplies of medicines the prices of which had mounted beyond all proportions to cost and so was held responsible for their increase.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what is the difference that the Hon'ble Minister is making between a responsible director and the other directors? Was he a managing director?

Mr. SPEAKER: He has said that he was connected with four firms and the prices of commodities supplied by those firms were rising and he being the common factor, it was presumed that he was responsible for the rise in prices.

Dr. NALINAKSHA SANYAL: He has not said that, Sir.

The Hon'ble Mr. H. S. SUHRAWARDY: Not merely for being a common factor was he responsible; but Dr. Sen Gupta as a responsible person was also responsible.

Rai HARENDRA NATH CHOUDHURI: Will the Hon'ble Minister be pleased to state what was the nature of information against him?

The Hon'ble Mr. H. S. SUHRAWARDY: Dr. Sen Gupta is a responsible person associated with four medical firms. He sees before him and we also see with our eyes that the firms with which Dr. Sen Gupta is associated are profiteering in essential supplies of medicines.

Certain information is placed at the disposal of officers and Dr. Sen Gupta is thereupon held by these officers to have been responsible for this undue rise in the prices of medicines.

Dr. NALINAKSHA SANYAL: With reference to answer (*c*), viz., "they were arrested and discharged, and were not required to be present in court," will the Hon'ble Minister be pleased to state if they were discharged then and there, immediately after arrest, or subsequently?

The Hon'ble Mr. H. S. SUHRAWARDY: I believe on the spot. They were not even produced in Court.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when they were informed that they were discharged? Were they actually at any stage informed that they were discharged or that simply the case against them was not proceeded with?

The Hon'ble Mr. H. S. SUHRAWARDY: They were informed that they were discharged.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that on the 14th September, 1939, most of those gentlemen who had been arrested on the night of the 3rd were required to be present before the Chief Presidency Magistrate?

Mr. SPEAKER: This question really does not arise as it does not refer to Dr. Nalini Ranjan Sen Gupta.

Dr. NALINAKSHA SANYAL: No, Sir. With reference to my question (*c*), viz., "whether the gentlemen arrested or some of them were required to be present in the Magistrate's Court on any date after their arrest," the reply is—"they were arrested and discharged, and were not required to be present in Court." So I first wanted information about the time, because I am very definite that they were required to be present in the Chief Presidency Magistrate's Court on the 14th September.

Mr. SPEAKER: Was he required to be present on the 14th September?

Dr. NALINAKSHA SANYAL: Yes, Sir, they were arrested on the 3rd September——

Mr. SPEAKER: The question is whether he was informed about his discharge on the 3rd or the 14th?

Dr. NALINAKSHA SANYAL: Sir, that is why I asked if Dr. Sen Gupta was discharged on the day of his arrest or subsequently?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not aware when they were discharged. They were arrested on the 6th.

Dr. NALINAKSHA SANYAL: On the 5th night.

The Hon'ble Mr. H. S. SUHRAWARDY: No, on the 6th and they were not required to be present in the Court.

Dr. NALINAKSHA SANYAL: Was he not required to be present on that date or subsequently?

The Hon'ble Mr. H. S. SUHRAWARDY: I do not know.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why they were discharged on that very night forthwith? Was any attempt made to collect evidence against them?

Mr. SPEAKER: That question does not arise. You can ask why. You cannot suppose something wrong.

Dr. NALINAKSHA SANYAL: Let us see why? Because we find certain responsible gentlemen ——

The Hon'ble Mr. H. S. SUHRAWARDY: The honourable member has made me doubt my own statement. The honourable member states that they were discharged forthwith. I had given my impression of it. It is not here in the file. I take it, Sir, that they were discharged actually because the action that was taken by Government had a very salutary effect and the prices of medicines came down.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state what was the interval of time between the publication of the ordinance and the arrest of Dr. Sen Gupta?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, the honourable member ought to know better when the ordinance was published, as he must have been affected by it, but in any event, Sir, it could not have been more than three days.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state at what time these gentlemen were arrested?

Mr. SPEAKER: That does not arise as a supplementary to this question.

Dr. NALINAKSHA SANYAL: Sir, it was in the original question, which is being carried over in this question, because certain information was held over at that time. This question (183) is a sequel to another question.

Mr. SPEAKER: But that question has not been held over.

Dr. NALINAKSHA SANYAL: All right, Sir, I will put it in another way. What was the interval between the arrest and the discharge?

The Hon'ble Mr. H. S. SUHRAWARDY: That, Sir, I am not aware of.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what legal steps were taken to follow up the arrest? The answer has been given that there was salutary effect of the arrest and therefore the Government did not proceed. I would like to know specifically if Government arrested them only for the moral effect or there was any breach of law for which they were thought punishable?

The Hon'ble Mr. H. S. SUHRAWARDY: There was obviously a breach of law. These honourable profiteers did not realize that they were going against the law when they put up the prices to an undue extent or thought they would escape the consequences. After their arrest, they did realize it. The prices came down and Government not being vindictive did not proceed against them.

Dr. NALINAKSHA SANYAL: If there was a breach of law, why did not Government follow the ordinary course of law?

Mr. SPEAKER: That has been answered. Government's intention was not merely to prosecute, but to get the prices down.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Minister aware that the arrest of Dr. Nalini Ranjan Sen Gupta took place when the Gazette had not been published?

The Hon'ble Mr. H. S. SUHRAWARDY: No, Sir, I am not aware of it.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state whether he has got any definite information that there were three or four days' interval between the publication of the ordinance and the arrest?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, the war was announced on the 3rd and they were arrested on the 6th. There was no justification for raising the prices. The ordinance was there, and the Defence of India Rules were there.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to furnish the information as to on what date the ordinance was published in the *Calcutta Gazette*?

The Hon'ble Mr. H. S. SUHRAWARDY: That I do not know, Sir.

STARRED QUESTIONS

(to which oral answers were given)

Curriculum for primary schools in muktab areas.

***330. Mr. HARENDRA KUMAR SUR:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that a circular from the Department of Director of Public Instruction has been issued to the effect that in the Boys' Primary Schools where the number of Muslim boys exceed 50 per cent. the curriculum prescribed for the Muktab Primary Schools will have to be followed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what arrangements he proposes to make for the education of boys belonging to the minority communities in the Noakhali district?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) In 1924 Government sanctioned a separate curriculum for Muslim Primary Schools or Muktabs. It was intended for Muslim boys in Primary Schools or Muktabs in which the number of such boys was more than 50 per cent. of the roll number. This curriculum has ceased to operate in the district of Noakhali where the revised syllabus for Primary Schools and

Muktabs has been introduced this year. This revised syllabus provides for instruction in secular subjects jointly and in religious subjects separately for all pupils.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether the curriculum has been introduced only in the district of Noakhali or in any other district?

The Hon'ble Mr. A. K. FAZLUL HUQ: As at present advised, it is in the district of Noakhali only.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that the text-books prescribed for the maktab primary schools are wounding the religious susceptibilities of other minority communities?

Mr. SPEAKER: That question does not arise. Curriculum and text-books are different matters.

Managing Committee of the Burdwan Town School.

***331. Maulvi ABUL HASHIM:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether the Burdwan Town School is a Government School or a Government aided school; and

(*ii*) whether it is managed by the rules embodied in Government of Bengal Education Code as a Government School or by the rules embodied in the Calcutta University School Code as an aided school.

(*b*) Is the Hon'ble Minister aware that the Head Master is an *ex-officio* Secretary of the school?

(*c*) If so, what are the reasons?

(*d*) Do the Government contemplate the election of the Secretary from amongst the members of the Committee like all other aided schools? If not, why not?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) It is a Government aided institution.

(*ii*) It is governed by the rules embodied in the School Code as well as those in the Bengal Education Code.

(*b*) Yes.

(*c*) Because it was considered desirable in the interest of the school that the Head Master should be the Secretary of the school.

(*d*) Does not arise.

Allegations against some soldiers of the Frontier Force Regiment stationed at Dacca.

***332. Mr. ATUL CHANDRA SEN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that on the 13th November, 1939, some soldiers of the Frontier Force Regiment stationed at Dacca while passing along Sankhari Bazar Lane of the same city made immoral signs and gestures towards the womenfolk of the locality;

(*ii*) that they behaved without decorum with two Sankhari women who were at the time drawing water from the street hydrant;

(*iii*) that they attempted to enter a house by force when they were resisted by the people of the locality;

(*iv*) that about half an hour after the incident, about one hundred soldiers with *lathis* came running towards Sankhari bazar;

(*v*) that they were intercepted by the police and prevented from doing further mischief;

(*vi*) that the District Magistrate of Dacca admitted to the questioner that the aforesaid story was substantially correct;

(*vii*) that he assured the questioner and the aggrieved people that the culprits would be departmentally dealt with; and

(*viii*) that proper steps will be taken to prevent recurrence of similar incidents at Dacca?

(*b*) If the answers to (*a*) (*vii*) and (*viii*) are in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what departmental action has been taken against the culprits; and

(*ii*) what steps, if any, have been taken to prevent repetition of similar occurrences in the city of Dacca?

(*c*) Is the Hon'ble Minister also aware—

(*i*) that on the night of 10th December, 1939, three soldiers of the aforesaid Frontier Force Regiment stationed at Dacca accompanied by another person went to the house of a Namasudra named Feloo Mistri residing at Dhobakhola, Gandaria, Dacca;

(*ii*) that they focussed a torchlight at the hut where womenfolk were staying; and

(*iii*) that the said Feloo Mistri remonstrating was abused and assaulted by one of the party?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state, what action, if any, has been taken against the culprits.

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*)(*i*) to (*iii*) Yes, under a misapprehension, in that there are disorderly houses in the locality and the women concerned were seen without covering their heads which confused the Pathan soldiers of the Frontier Force Regiment who are ignorant of local customs, manners and language.

(*iv*) and (*v*) About 50 to 100 soldiers came there on a report that some of their brother soldiers were being molested, but without *lathis* or any other weapons. Police pickets were stationed there to avoid any breach of the peace.

(*vi*) to (*viii*) The honourable member saw the District Magistrate about the matter. The District Magistrate's visit to the locality and his explanation of the incident seemed to have satisfied him.

(*b*) The Adjutant of the Regiment and the Additional Superintendent of Police explained the injustice committed by the soldiers. The District Magistrate visited the spot and the Officer Commanding regretted the incident. The entire city was out of bounds for the Sepoys for some days and they were forbidden to visit the Sankhari bazar area. The Sankhari community were satisfied.

(*c*) Three servants of the Regimental Mess and not soldiers while on the look-out for the food contractor went to Dhobakhola on a report that he was at the house of a Namasudra woman. On their way they met Feloo Mistri and some others and Feloo who was drunk picked up a quarrel with one of the servants and there was a mutual assault. There was no focussing of a torchlight.

(*d*) The matter was reported to the Military authorities for taking necessary action.

Mr. ATUL CHANDRA SEN: With reference to answer (*a*), is the Hon'ble Minister aware that the District Magistrate on an inspection of Sankhari bazar in company with the questioner was satisfied that the locality could not be mistaken for a quarter of disorderly houses?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of it.

Mr. ATUL CHANDRA SEN: With reference to answers (*a*) and (*b*), where it is stated that I was satisfied with the District Magistrate's inspection of the place of incident, is the Hon'ble Minister aware that I was satisfied to the extent that I would not proceed further with the

matter, provided that the District Magistrate assured me that the culprits would be departmentally dealt with and the District Magistrate gave me that assurance?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have got nothing further to add to what I have already stated.

Mr. ATUL CHANDRA SEN: With reference to answer (*d*), will the Hon'ble Minister please say whether any action has been taken by the military authorities?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. ATUL CHANDRA SEN: Do the Government consider the desirability of moving in the matter to see that the culprits are adequately dealt with?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the matter has been reported to the military authorities, and Government assume that necessary action will be taken in the matter.

Mr. ATUL CHANDRA SEN: Do they propose to move in the matter and see that action is taken?

The Hon'ble Khwaja Sir NAZIMUDDIN: They cannot do more than represent to the military authorities.

Rai HARENDRA NATH CHAUDHURI: When was the report made to the military authorities?

The Hon'ble Khwaja Sir NAZIMUDDIN: Very likely when it was brought to the notice of the local officers.

Rai HARENDRA NATH CHAUDHURI: What are the reasons which actuated Government for waiting for such a long time for the opinion of the military authorities on the report made by Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no question of reason here. The matter has ended with the report.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if these people were stationed at the request or instance or suggestion of the local Government or of the military authorities of their own accord?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what authority the local Government exercises over military men when they come to civil parts and conduct themselves in a manner which is injurious to the interests of peaceful citizens?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice as to the exact nature of the thing.

Mr. SPEAKER: It is very difficult to answer that off-hand.

Dr. NALINAKSHA SANYAL: In view of answer (*a*) that these people are ignorant of local customs, manners and language, will the Hon'ble Minister be pleased to state if they are considering the desirability of having in civil areas such military men only who are Bengalis and who are conversant with local customs, habits and manners, that similar mistakes may not be committed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am afraid that there are no Bengalis in the regiment at present.

Free Primary Teachership Examination in Tippera district.

*334. **Mr. MAQBUL HOSSAIN:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the years 1938 and 1939—

(*a*) the number of teachers, who appeared at the Free Primary Teachership Examination, from the Tippera district;

(*b*) how many of them came out successful;

(*c*) the marks obtained by each teacher; and

(*d*) who or what body examined their papers?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) In 1938 the number was 4,445 and in 1939 the number was 3,919.

(*b*) 1,012 teachers were successful in 1938 and 697 in 1939.

(*c*) This information cannot be divulged.

(*d*) The Subdivisional Inspectors and selected Sub-Inspectors of Schools under the supervision of the District Inspector of Schools.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Application for licence of cinema house at Dinajpur.

182. Mr. NISHITHA NATH KUNDU: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that Srijuts Kshemesh Ranjan Chatterjee, M.SC., Tarapada Dhar and others applied for licence for starting a cinema house at Dinajpur in the month of February last to the then District Magistrate of Dinajpur?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a copy of the order passed on the application by the said Magistrate?

(*c*) Is it a fact that subsequently the then District Magistrate ordered for an enquiry by the Subdivisional Officer, Sadar?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether such enquiry was held;

(*ii*) if so, who made the enquiry;

(*iii*) when the enquiry was made;

(*iv*) how the enquiry was made;

(*v*) whether any citizen of the Dinajpur town was examined;

(*vi*) if so, who were they; and

(*vii*) if no enquiry was made, the reason thereof?

(*e*) Is the Hon'ble Minister aware that the existing cinema hall is not sufficient to accommodate the increasing number of cinema going public?

(*f*) Is it a fact that Government are not in favour of granting of the licence?

(*g*) If so, why?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*c*) Yes.

(*b*) No, as it would serve no useful purpose.

(*d*) (*i*) and (*e*) No.

(*ii*) to (*vi*) Do not arise.

(*vii*) It was subsequently found that the proposed enquiry was not necessary.

(*f*) and (*g*) From the information at present in their possession Government are satisfied that the existing cinema house is quite sufficient to accommodate all the cinema going public and the necessity for starting a second house has not been established.

Babu PREMHARI BARMA: With reference to answer (*b*), will the Hon'ble Minister be pleased to state from whose point of view—is it the point of view of Government or of the public or the petitioners for licence—the Hon'ble Minister thinks that it will serve no useful purpose if the order of the District Magistrate is placed on the library table?

Mr. SPEAKER: That question does not arise.

Babu PREMHARI BARMA: With reference to answer (*d*) (*vii*), will the Hon'ble Minister be pleased to state by whom it was found that the proposed enquiry was not necessary?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe, by the present District Magistrate.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if the District Magistrate who found that an enquiry was not necessary put forward any reason for that?

The Hon'ble Khwaja Sir NAZIMUDDIN: He went through th past records and then he examined the question in the light of the existing conditions and came to that conclusion.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state under what legal authority the District Magistrate exercises this judgment about the sufficiency or otherwise of existing cinemas? There are only two grounds on which local Government has power in the matter, namely, on the ground of public health, and on the ground of conditions necessary for a place of public amusement.

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state why in answer (*b*) he says that it will serve no useful purpose? Will he state reasons for that?

The Hon'ble Khwaja Sir NAZIMUDDIN: If any order has been passed, that is known already to the parties concerned, and I do not see any further justification for placing it on the library table.

Encouragement from Government towards Muslim education.

184. Mr. ABDUR RASHID MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the total amount of money spent by Government annually on primary, secondary, collegiate and other kinds of education in the province; and

(*ii*) what percentage of the total amount referred to in (*i*) is spent for the education of the Muslim community?

(*b*) Is the Hon'ble Minister aware that the Muslim community in Bengal is backward in education?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate spending half of the total grant for the education of the Muslim community annually?

(*d*) What is the percentage of literacy amongst the Muslims?

(*e*) Is the Hon'ble Minister aware that a feeling of discontent exists amongst the Muslims for lack of encouragement from Government towards Muslim education?

(*f*) If so, what steps do the Government propose taking for the advancement of education amongst the Muslim community?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Education for Indian boys and girls—Rs. 1,56,59,000. Anglo-Indian and European education—Rs. 11,47,000.

(*ii*) Separate accounts for the education of Muslim community are not maintained.

(*b*) Yes.

(*c*) It would be desirable to make special arrangements for helping Muslim education, but in the present circumstances the division of the total allotment rigidly between communities is hardly possible. If the honourable member would be pleased to suggest a practical method, I shall be prepared to consider it.

(*d*) 6·8 per cent. (according to the Census of 1931).

(*e*) There has been a feeling of discontent in the past, but this is gradually dying away. There is no lack of encouragement now from Government towards Muslim education.

(*f*) The question does not arise.

Communal ratio in the office of Inspector-General of Registration, Bengal.

185. Mr. ABDUL HAKEEM: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) whether the communal ratio in services is being observed in the office of the Inspector-General of Registration, Bengal; and

(*b*) if so, what is the proportion at the present time of assistants of different communities in the said Department?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) Caste Hindus—50 per cent.

Muhammadans—43·75 per cent.

Depressed class—6·25 per cent.

Girls' hostels in Calcutta.

186. Mr. ABDUL HAKEEM: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that many of the girls' hostels in the city of Calcutta are privately managed proprietory institutions;

(*ii*) that they are run in the interest of the proprietors; and

(*iii*) that many girl-students studying in the Government recognised girls' schools and colleges in Calcutta reside in these private hostels?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of requiring the authorities of these hostels to secure police licences to continue as proprietory concerns?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) to (*iii*) No.

(*b*) Does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what steps did Government take to ascertain the proprietary character and management of the girls' hostels in Calcutta since this question was tabled?

The Hon'ble Mr. A. K. FAZLUL HUQ: I confess that no step has yet been taken, but I promise to take up this question if the honourable member so desires.

Mr. NIHARENDU DUTTA MAZUMDAR: How long does the Hon'ble Minister think he will take to ascertain these facts and to take the steps which he has just promised?

The Hon'ble Mr. A. K. FAZLUL HUQ: I may take steps to-morrow, but the whole thing depends on funds.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether, since he took over charge of the portfolio, Government gave proper consideration and thought to the question of girls' hostels in Calcutta?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, Sir, from the very beginning I have been trying, but the whole thing is a question of funds.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state what are the precise difficulties due to which within the last two years Government have not done anything in this direction?

Mr. SPEAKER: I am afraid, that question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Did the Hon'ble Minister explore the possibilities of diverting some of the money from the previous budgets which were granted to various institutions in this direction?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, the Hon'ble Minister has pleaded financial stringency and I am asking whether Government explored the possibilities——

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, may I put it in a different form?

Mr. SPEAKER: Yes.

Mr. NIHARENDU DUTTA MAZUMDAR: Did the Hon'ble Minister explore the possibilities of finding funds out of the provincial budget for the purpose of diverting them to the girls' hostels in Calcutta in view of the importance of this matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: It was not possible to divert funds, because other institutions were also important, urgent and necessary. The question was of additional fund. That is why the difficulty arises.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what amount was estimated to be required in connection with this provision and what was the deficit apprehended which Government could not find from ordinary sources?

The Hon'ble Mr. A. K. FAZLUL HUQ: A scheme was worked out by Dr. Jenkins when he was placed on special duty. That scheme shows that in Calcutta at any rate—I cannot give the exact figure—a sum of nearly Rs. 2 lakhs recurring will have to be provided by Government in order to maintain and make up the deficit. It is possible that we can make a beginning this year, and, if necessary, Sir, I will come up with a supplementary demand in July.

Remission of current rent and interest on arrear rents in Janbazar Wards Estate in Dinajpur.

187. Maulvi ABDUL JABBAR: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the tenants of the Janbazar Wards Estate of Parbatipur in the district of Dinajpur have received no jute crop this year; and

(*ii*) that they have represented to the Collector, Commissioner and the Government for continuing the concession in the shape of remission of interest on arrear rent and current rent this year?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state, what steps, if any, has been taken on the said representation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Almost the whole of the estate is paddy-growing. The question of failure of jute crops does not arise.

(*ii*) Yes.

(*b*) The following instructions have been issued to the Collector:—

(*i*) No interest will be charged on rent for the current year paid before the close of the year.

(*ii*) No interest will be charged if rent for the current year is paid together with two years, or more, arrears or if current rent and all arrears are paid.

(*iii*) Half interest will be charged if payment is made only of current rent and one year's arrears leaving a balance outstanding.

Maulvi ABDUL JABBAR: With reference to answer (*b*), will the Hon'ble Minister consider the desirability of extending the time for paying rent on these terms in view of the fact that the close of the Bengali year will take place shortly?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If the tenants want to pay rent, they can do so within time. It is very difficult for me to promise off-hand. It will depend on the amount of collections which are made in the meantime.

Maulvi ABDUL JABBAR: Will the Hon'ble Minister be pleased to state if the interest on arrear rent has been remitted in the case of any estate under the Court of Wards?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state if instructions have been issued to the courts of wards in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister consider the desirability of modifying the instructions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Will the honourable member please explain what he means by "modifying"?

Mr. MIRZA ABDUL HAFIZ: In his answer (*b*) (*ii*) the Hon'ble Minister has said "no interest will be charged if rent for the current year is paid together with two years or more arrears or if current rent and all arrears are paid." My question is whether the Hon'ble Minister is considering the desirability of modifying the answer to this effect that no interest should be charged if rent for two years be paid without mentioning the current year's rent.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That amounts to this; only current rent and one year's arrear rent. I do not think it possible to agree to that.

Disturbance to the Hindu Conference held at Khulna by Muslim processionists.

188. Srijut NARENDRANATH DAS GUPTA: (*a*) With reference to the reply given to starred question No. 277 on the 28th March, 1939, will the Hon'ble Minister in charge of the Home Department be pleased to state the result of the enquiry of the Inspector-General of Police, in connection with procession which passed the *pandal* of the Hindu Conference held at Khulna?

(*b*) What action, if any, has been taken against those who were found guilty in this connection, especially against the person designated in the said reply?

(*c*) If no action has been taken, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) An enquiry into the matter was held by the Superintendent of Police. The Inspector-General of Police was satisfied with the local officers' report and did not consider it necessary to take action against anybody.

(*c*) Does not arise.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to lay on the table a copy of the local officer's report which is said to have satisfied the Inspector-General of Police?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, I can look into the suggestion, but I am afraid it will take us into the next session.

Mr. SPEAKER: Questions over.

GOVERNMENT BILL.

The Bengal Tenancy (Third Amendment) Bill, 1939, as passed with amendments by the Bengal Legislative Council.

Mr. SPEAKER: I will now put the motion regarding the Bengal Tenancy Amendment Bill to the House.

The question that the Assembly agree to the amendments made by the Bengal Legislative Council to the Bengal Tenancy (Third Amendment) Bill, 1939, was then put and agreed to.

Adjournment Motion.

Mr. SPEAKER: I will now take up the adjournment motion; perhaps the time will just suffice for Mr. Basu's speech before we break up for the prayer interval. Mr. Santosh Kumar Basu.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, I move that the business of the Assembly do stand adjourned to consider a definite matter of urgent public importance and of recent occurrence, namely, the action of the Government in issuing an order to all printers, publishers and editors in Bengal that was published in the *Calcutta Gazette Extraordinary*, dated the 5th April, 1940, prohibiting absolutely the printing or publishing within the province of Bengal of any document described or referred to in the said order.

Sir, the way in which this order has been drawn up and the intricacies of the different aspects which this order seeks to touch make it impossible for me to refer to this order in greater detail than what I have done in this motion. It is therefore necessary that the order itself should be placed before the House and incorporated in the proceedings of this Assembly in order that the purport of my motion can be fully understood. Sir, the order runs thus:—

GOVERNMENT OF BENGAL.

HOME DEPARTMENT.

Political (Press).

No. 2097P.

5th April, 1940.

Order to all Printers, Publishers and Editors, in Bengal.

In exercise of the powers conferred by sub-rule (*1*) of rule 41 of the Defence of India Rules, the Governor is pleased to prohibit absolutely the printing or publishing within the Province of Bengal of—

(1) any document containing a reference by way of statement, advertisement, notice, news, comment or otherwise, to—

(*a*) the whole or any part of any programme for the so-called "National Week, 1940", issued by or on behalf of the (suspended) Bengal Provincial Congress Committee or any body affiliated thereto or connected therewith or Mr. Subhas Chandra Bose and Swami Sahajananda or either of them or

any organisation with which they are or either of them is connected, or any programme identical with, or based on, or substantially similar to, or reproducing part or the whole of, any such programme, and

(*b*) any procession, meeting, assembly or demonstration held, speech delivered, or thing done or omitted to be done in connection with or for the furtherance of any programme referred to in sub-clause (*a*) or part of such programme, and

(2) any document containing a reference by way of comment to this order.

Sir, If I am permitted to analyse the effect of this order it will appear that this order is directed to all printers, publishers and editors in Bengal and it prohibits the printing or publishing of certain documents. Such a document must relate in whole or in part to the programme of the National Week—the "so-called" National Week—which is published by the Bengal Provincial Congress Committee which is described as suspended or of any body affiliated thereto or connected therewith or Mr. Subhas Chandra Bose and Swami Sahajananda or either of them or any other organisation connected with them. It also prohibits the publication of any document containing any reference to any procession, meetings, or assembly or demonstration, etc., which is connected with or in accordance with any such programme. It is, therefore, perfectly clear that what is sought to be prohibited is the publication or printing of any document which will contain any reference to any of these matters. Well, Sir, the holding of any meeting for the purpose of propagating this programme or for the widest possible diffusion of the ideas and opinions of the individuals or the organisations mentioned in this order is not prohibited. Processions, meetings, assemblages, demonstrations—everything is allowed wherever it may be held in Bengal—large gatherings may be collected and Mr. Subhas Chandra Bose and Swami Sahajananda or those who are of their opinion or are connected with their programme are left free to discuss, to propagate, to insist and to hammer into the minds of their respective audiences their ideas, their views, and their principles couched in as eloquent, as definite, or it may be, as violent language as they might choose to employ, without transgressing the limits of the ordinary law. In other words, I take it, Sir, that the Home Department of the Government of Bengal were fully convinced that nothing objectionable could come from any of these individuals or organizations which would require a definite ban being placed on their activities. I am not certainly going to credit the Hon'ble Sir Nazimuddin with the idea that although he entertains a very serious opinion as to the mischief which might be done by any of these organisations or individuals in their meetings and processions, yet in spite of that he

allowed them absolute freedom to propagate such ideas in their meetings all over Bengal. That certainly could not have been his intention. Is it not absolutely clear that in the opinion of the Government of Bengal there is nothing objectionable in them? They seem to be perfectly sure in their heart of hearts that no damage could be done to the public peace or tranquillity or in the matter of the prosecution of the war by any of these individuals or organisations or by any of their activities in the shape of processions, assemblages or meetings. That is the plain implication of the action which has been taken by the Government of Bengal. What is really not banned is the speeches of these speakers, what is not banned is the right of the audiences in these respective gatherings to listen to these speeches—no ban upon the tongue, no ban upon the ear; the only ban is upon the eyes of the prospective readers of newspaper reports. They must not set their eyes on something which in the opinion of Government ought not to find any place in the newspapers or in any printed document. It is a most strange procedure which the Government have adopted on this occasion. I do not know what right Government have or what right, they think they have under the Defence of India Rules, not to prohibit the meetings, the processions or the assemblies but only to prohibit the publication of the reports thereof. I am a newspaper reader and I may not go to any of these meetings. I have every right to know what is happening in these meetings under the aegis of the Government of Bengal, not banned, not prohibited, nor in any way objected to by this Government. It is a most curious position which the Government of Bengal have taken up. Sir, in accordance with the programme which was published on the 5th of April, in the newspapers of Calcutta, meetings have, as a matter of fact, been held not only in the different parts of this city, but all over this province—meetings attended by thousands and thousands of listeners who have clung to the speeches of the speakers for hours and hours together. Those who took the trouble of going to these meetings have become imbued with ideas to which Government do not at all object. But a ban has been put upon those who had not the good fortune of listening to those speeches, so as not to be touched or polluted by the propagation of those ideas through printed documents. A fine performance indeed! We do not know what actuated the Government of Bengal to take up such a strange and queer position.

Then again, Sir, look at the last part of this wonderful order. What is prohibited is not only the publication of any document containing a reference to the programme or to the proceedings of the different meetings, but also the publication of any document containing a reference by way of comment to this order. In other words, editorial comments are prohibited. But I am just curious to enquire at this stage of you, Sir, and of the Hon'ble Home Minister if he would like

to vouchsafe an opinion on this point as to whether the proceedings of this Assembly in connection with this debate, containing as they would comments on this order, would be liable to be banned so far as newspaper publication is concerned. That is a matter, Sir, which directly concerns us, and directly concerns our right as members of this legislature who are free to discuss this matter within the precincts of this Chamber. We have got every right to approach our electorates through newspapers and to let them know what is happening in this legislature on such matters of vital public importance. But the order, as it has been framed, will prohibit the publication of any document containing any reference by way of comment to this order, and may be construed to prohibit the publication of the report of the proceedings of this House. If that be the purport of this order, I do not find words strong enough to condemn the intention of the Government. Sir, this is probably the first time when Government have entertained a desire so openly expressd of gagging this Assembly so far as newspaper publication is concerned. I do say, Sir, that it is up to the Home Minister to come out with a frank exposition of the point of view of Government with regard to this matter and unless that is done I say they stand self-condemned.

Sir, I do not desire to take up the time of the House much longer. I can only say that however much attempts may be made to stifle the propagation through newspapers of ideas and views contemplated by this order, if there is any life in them, if there is any spirit in them, they will take wings, and reach the farthest corners of this province and of this country. No other province has promulgated any such order. Nowhere else has such a ban been placed. The Congress will make up its internal differences; the two wings of the Congress will shake hands once again. But the way in which the Government of Bengal have figured in this controversy does little credit to them. Sir, I shall conclude by drawing the attention of this House to what took place in connection with the execution of this order by the myrmidons of the police. One worthy gentleman—a member of the police force—has served a notice upon a particular mufassal newspaper by interpreting this order to the following effect:—

> "You are hereby informed that the publication of any matter connected with the participation of the Left Wing of the Congress in the celebration of the National Week has been prohibited by a Gazette Extraordinary."

A commentary on the words "Left Wing" will I hope be furnished by the Hon'ble the Home Minister in connection with this order. Government promulgate their orders and in the course of transmission they undergo curious transformation and assume such garbs as is found in this particular notice.

Sir, I shall conclude by inviting the attention of this House to a similar question which was raised only the other day in the House of Commons. Sir John Anderson was questioned in the House of Commons by Sir Archibald Southby as to what steps were being taken to prevent distribution of Communist Party pamphlets on the ground that they were likely to hamper the national effort to win the war. Sir John in his reply reminded the questioner that the Defence Regulations were so drawn as not to interfere with the ordinary propogation of opinion. That, Sir, is a lesson which our worthy Ministers may very well take to heart. And if the opinion of Sir John Anderson who was responsible for putting most of our Ministers on the Treasury Benches still carries any weight with them, they will, I hope, take it to heart and shape their future conduct accordingly.

Dr. SURESH CHANDRA BANERJEE: Mr. Speaker, Sir. It is really impossible to add anything to what has been so ably said by the previous speaker the mover of this adjournment motion. While I was listening to his speech one thing was agitating my mind and that was what was really the intention of Government in issuing this order. Government know certainly well in the cities where generally these meetings are held people will assemble in large numbers and they will get the advantage of listening to the speeches of these speakers. The only object of the Government was to prevent the villagers, the people living in villages, from taking any advantage of these meetings by reading the reports of these meetings. Already there has been an agitation going on throughout the country—an agitation for many things, specially to get rid of the problem of hunger. This hunger has been mainly due to the war and in the course of the National Week many speeches would be delivered as to how the peasant in the village can cope best with the problem of hunger. It was this thing which moved the Government in issuing this order. Government know very well that they have not been able up till now to do anything to remove the question of hunger of not only the labourers of the town but also of the peasants in the villages. If the peasants in the villages could get advantage of this by reading in papers reports of various speeches delivered in connection with National Week and in connection with these problems, then their hearts would be awakened, their minds would be stimulated and they would begin to think in a new light, and the mischievous activities of the present Government which is mainly controlled by the League would be known to them. It is for this reason that Government came forward with this foolish order. There can be no other meaning for passing this order. It was this thing only which was agitating my mind when I was listening to the speech of my honourable friend, Mr. Santosh Kumar Basu.

Of course, we who represent labour in towns are accustomed to such things. We have been deprived of the advantage of holding any meeting at all; we are not allowed to hold any trade union meeting. If we try to hold any meeting, and if we ask for permission, we are not given that permission. The other day, I sought——

Mr. SPEAKER: I am sorry, you are going beyond the scope of the adjournment motion. What you did the other day, let it be left for discussion on another day. (Laughter.)

Dr. SURESH CHANDRA BANERJEE: Alright, Sir. I will confine myself to the adjournment motion.

We have been accustomed to all these things. Now, the peasants of villages got an opportunity when they could discuss about these things. But by virtue of that order, they have been deprived of that very privilege. Now, the question is what can we do; what is possible for us to do under the circumstances? The only thing that we can do under the circumstances, the only thing that is left to us, is, I believe, to break the order and to court arrest so that as a result of such action, it may be possible for villagers to know such things; otherwise I see no other way. With these few words, Sir, I conclude my speech.

(The House was then adjourned for 20 minutes.)

(After adjournment.)

Mr. SASANKA SEKHAR SANYAL: Mr. Speaker, Sir, the promulgation by our Government of the order under discussion is only one of the not very few instances of out-heroding Herod. Sir, in the five other provinces which were governed by the Congress Ministries, and which, to the satisfaction of the Britishers and the followers of the Britishers, have reverted to the khas mahal of British Imperialism, while they have not ventured in all decency to go to the length of issuing an order, it was left only to our popular Government to do. The irresponsible Governments in the erstwhile Congress provinces have not taken a similar step or even a step approaching to this, and may I ask in all seriousness the Hon'ble the Home Minister why was it that this Province was singled out for the promulgation of an order, which will go down to posterity as one of the blacklegs of the administration. Sir, it is amusing to find that although Sri Subhas Chandra Bose and Swami Sahajananda have been touring round the whole of India rallying considerable enthusiasm around the banner which they are holding, although, Sir,

the political movements which they have been piloting have entered into the hearth and homes of even the remotest villages in the country, it is amusing, Sir, as I have said, that such an order was not even contemplated by any other Government, responsible or irresponsible, and may I ask the Hon'ble Minister in charge as to why it was extraordinarily necessary for Bengal alone to issue an extraordinary Gazette containing an extraordinary order of this description. Swami Shahajananda could not be graced by mention in a similar order even in his own province of Bihar but he has entered into the honours list of Bengal. I say these are things which eminently call for some explanation and I hope the Hon'ble Minister in charge will give that explanation. Sir, the Gazette notification is extremely silent as to the necessity for the promulgation of an order like this. It simply recounts certain names and certain organizations and it gives a *fatwa* that the Press will not have to circulate meetings or anything done pursuant to the programme of these leaders and their movements. The reasons are not there. May I expect the Hon'ble Minister in charge also to furnish us with the reasons? Of course, Sir, he will have the advantage of having the last say in the matter, but still we can anticipate the reasons. They are two. One is trying to create a sort of division in our ranks, and the second reason is to try to stifle public opinion which is so strongly gathered round these two hallowed figures of Indian politics. So far as the first is concerned, it has been made sufficiently clear by our esteemed Deputy Leader that in this attempt Government will miserably fail. In the past, Sir, we have had differences amongst us. We are not ashamed of them. A growing political organization is bound to embrace in its fold various shades of opinion, which sometimes will amount to a conflict and a clash, and it is only natural course of things that a living organization lives from more to more, grows from more to more as a result of conflict of ideology, clash of ideas and struggle of philosophy in political fields. But as the past has shown, as the present is going to show, and as the future is certain to show, the Government will find whenever there is a crisis, whenever there is a question of prestige, the different wings of the Congress, no matter left or right, all the elements of the Congress will march shoulder to shoulder on to the Valley of Death if necessary, but they will certainly go like the heroic chargers, which has been described in the ancient literature.

Sir, it is said that no newspaper publications will contain a report of the activities of the National Week of the suspended Bengal Provincial Congress Committee and of any organization connected with Sri Subhas Chandra Bose and Swami Sahajananda. Sir, what are the reasons? What are these figures standing for? Sri Subhas Chandra Bose is not a new figure in Indian politics. As a green

young man he left the rank of the Civil Service and entered into the political field to the admiration of millions of his countrymen, and in the course of the years that he has done political work, his position has enhanced, his prestige has increased manifold and to-day he stands out not merely as a political leader of the past and the present, but as a Leader who is supposed to be the harbinger of a new world for India and Indians. ("Hear, hear" from the Congress Benches.) Sir, even the Britishers know, and far more ought to be known by the Hon'ble Minister in charge of the Home Department as Sri Subhas is his conutryman, he is not merely a countryman of those persons who happen to be his followers including my humble self as one among them. May I ask Sir Nazimuddin with his hand upon his conscience if there is any, does he not think that the Bench he is occupying to-day is a bench which has been introduced not by the sleeping ideologies of lethargic politics, but by the factors of virile politics of which Sri Subhas has been a pioneer and vanguard for the last two decades. Does he not think that the youthful population of India with the numerous kisans and the labour population think that the future of India is looking forward to Sri Subhash Bose as a harbinger of a new atmosphere in the country? What is his fault, Sir? He is giving the ideals which have got to stand, which have got to be accepted if possible, but if they are not accepted to-day that section which is not accepting them to-day will be bound to accept those ideals to-morrow or the day after. All the same, Sir, it is up to the expectations of all right thinking politicians, all politically minded people that Sri Subhas Chandra Bose's sayings must be sufficiently published throughout the length and breadth of the country so that the growing political population may have food for thought, may have food for reflection, may have cause for concerted action. Does he think that by putting a ban upon the newspapers and the Press in the matter of Sri Subhas and Swami Shahajananda, they will be able to obliterate Sri Subhas Bose and Swami Shahajananda from the political field of India? Well, I warn them against such a hallucination. It is easier to wipe out India from the map of the world than to wipe out Sri Subhas Bose and Swami Shahajananda from the minds of the growing political population. They are household words not merely in Bengal, not merely throughout the length and breadth of this continent of India, Sri Subhas is the rising sun in India so far as the international world is concerned. Just as you have got to think of Chamberlain and Hitler in the right or in the wrong, so you have got to think in terms of future only through the glasses that have been offered to you by Sri Subhas and his followers. Galilio was imprisoned and all scientists and discoverers have been put to trouble, but the imprisonment of Galilio did not make the earth to cease from moving round the sun. You can gag Sri Subhas, but the atmosphere raised by Sri Subhas is bound to reverberate

throughout the country and the effect of the gagging would be tenfold worse. I recall to Sir Nazimuddin the Bureaucratic regime of 1930. You remember, Sir, that at that time newspaper publications were banned for some time. Do you know, Sir, what was the result? I am sure you know that since correct information was not available to the public all sorts of mysterious reports began to flood throughout the length and breadth of the country, and the result was that the movement which in the ordinary course would have run ordinary lengths of its activity, was redoubled and was increased manifold. So, there is the other side of the thing. If on account of the wrong and misleading reports circulated throughout the province anything untoward happens, the responsibility is not Sri Subhas's, the responsibility is not of the suspended Bengal Provincial Congress Committee, the responsibility would not be of the National Week but the responsibility will lie at the door of the irresponsible Ministry who had the cowardice and hardihood to try to suppress legitimate activities of the accredited leaders of the society. Sir, the issue is straight. Is Subhas a menace? Is Shahajananda a menace? If they are, the Government ought to come out to meet their political opponents and play the political game, but it is, Sir, absolutely cowardly to try to stab them from the back. I therefore appeal to the Hon'ble the Chief Minister to look at it from the constitutional point of view, and not merely from the political point of view. Government is in charge of the administration of law and order. But if there is anything going to break law and order, I say with all the emphasis I can command that the responsibility will be on Sir Nazimuddin and his Government. This Extraordinary Gazette will go down to posterity as a black spot in the administration of this Province of which even the descendants of the members of the Coalition Party will not be proud. I appeal to my friends, the members of the Coalition Party,—I have said in the past and I say it again to-day—you are the masters of the Government and it is for you to guide the Government along proper channels, and it is for you to see that this Government comes to an end and a better and more responsible Government steps in its place. What is the purpose of this Extraordinary Gazette? The National Week, the programme of which was advertised by Sri Subhas Chandra Bose, included among other things the war aims and the question of independence. The question of independence is more real to-day. The Hon'ble the Chief Minister has accused nationalist papers of being indifferent towards Government activities and not publishing in proper columns reports of Government actions. May I repeat this charge, Sir, to the Hon'ble Home Minister himself in the absence of the Hon'ble the Chief Minister and ask: Are you not guilty of the same offence? You have not the courage to stifle the movement, because you know that by trying to do so you will only increase the volume and

magnitude of the movement. So you are trying to sidetrack the issue by simply trying to stab behind the back. The question of independence is a question which is being discussed and ought to be discussed from every platform, and if Sri Subhas Chandra Bose, the accredited leader of to-day and certainly the leader of future generations, if he has got anything to say—people might differ from him—people might not accept his ideologies—but people must respect his motives and every section of the political world must have an opportunity of understanding what he has got to say. Nationalist papers are being gagged. But is it fair and is it playing the game?

Coming to the question of war aims, Government are trying to stop discussion about Sri Subhas Chandra Bose and his followers, but in spite of all precautions even to-day's papers extraordinary have given information which you cannot resist. Unless you allow political leaders to organise the masses as to the scientific attitude to be taken in respect of war aims, the masses will be clearly misled. News of various war fronts are coming, and Government is guilty of suppressing the political opinions of leaders and their attitude towards the war. What is the inevitable conclusion that will be drawn by the rank and file of the masses? They will only try to interpret by this that the war aims are not being discussed, because British Imperialism in the war front is on its last breath, and this will create an atmosphere which is neither wholesome to the Britishers nor to the present Government

Therefore, Sir, I repeat my warning that this sort of ban will not do. Government must play a fair game. Just as you have heard in the mythology that in the territory of Hiranya Kasipu the name of "Hari" was banned, but the result was that after some lapse of time the entire area became Hari-ridden, so if to-day Subhas and Shahajananda are an anathema and a sacrilege to the Government of the day, in course of time and as a direct result of this gagging the entire province, nay the whole of India, will be full of the names of Subhas and Shahajananda. (Loud cheers from the Congress benches.)

Mr. KAMAL KRISHNA ROY: মাননীয় সভাপতি মহোদয়, যে মুলতুবী প্রস্তাবটা পরিষদে আনিত হোয়েছে সেই মুলতুবী প্রস্তাবটা সম্বন্ধে আমি কিছু বোলতে চাই। বলবার পূর্বে আমি এ কথা আগে বোলব যে Defence of India Act হবার পর থেকে অন্য province এ হউক বা না হউক বাংলা গভর্ণমেণ্ট সেই Act কে কাজে-অকাজে, প্রয়োজনে-অপ্রয়োজনে প্রয়োগ কোরছেন। অবশ্য গভর্ণমেণ্ট আমাদের সঙ্গে পরামর্শ কোরে এই আইনের প্রয়োগ করেন নাই কেন না তাঁরা ভাবেন তাঁরা ভোটের জোরে যা খুসী করুন না কেন সে সম্বন্ধে support House এ পাওয়া যাবেই। কিন্তু প্রত্যেক কাজেরই একটা কারণ সাধারণতঃ থাকে। এ ক্ষেত্রে সুভাষচন্দ্র এবং স্বামী সহজানন্দ সম্বন্ধে যে আদেশ দেওয়া হোয়েছে তার পেছনে সত্যিকারের কারণটা কি তা খুঁজে পাওয়া যায় না। যদি গভর্ণমেণ্টের বিবেচনায় তাঁদের কার্য্যাবলী দেশের পক্ষে ও গভর্ণমেণ্টের পক্ষে অতিকারক হয় তবে তাঁদের আটক কোরে রাখলেই পারতেন। যদি

দেশের মাঝখানে তাঁদের প্রভাব প্রতিপত্তি গভর্ণমেণ্টের আপত্তির কারণ হয়ে উঠে তবে তাঁদের আটকে রাখবার ক্ষমতা গভর্ণমেণ্টের নিশ্চয়ই আছে। তা না কোরে গভর্ণমেণ্টের এইরূপ কাজের যে কি কারণ সাধারণভাবে তা বোঝা যায় না। এ ক্ষেত্রে স্বতঃই মনে হবে যে গভর্ণমেণ্টের পক্ষ থেকে এইরূপ আদেশ জারীর কোন একটা গূঢ় কারণ থাকতে পারে। সেই কারণ নিয়ে তাঁরা বিবেচনা করুন। কিন্তু আমি বোলব এর ফল সত্যি সত্যিই দেশের পক্ষে ভাল হয় নাই। গভর্ণমেণ্টের এটা স্মরণ থাকা উচিৎ যে তাঁরা যখনই এই প্রকার নিষেধাজ্ঞা বা আইন প্রয়োগ কোরেছেন—গত ত্রিশ বৎসরের মধ্যে নানা রকম অত্যাচার অনাচার হোয়েছে, মানুষের স্বাধীনতা হরণ করা হোয়েছে—যত রকম সম্ভব চেষ্টা কোরেছেন, তা করা সত্বেও যে উদ্দেশ্য নিয়ে তাঁরা তা কোরেছেন তাঁদের সে উদ্দেশ্য সফল হয় নাই। উপরন্তু তাঁরা যেটা চান না সেইটাই বেড়ে উঠেছে। এই দিক দিয়ে বিচার কোরে—অর্থাৎ যে আইন অন্য যায়গায় প্রযুক্ত হবার প্রয়োজন হয় নাই সেই আইনটা এখানে কি কারণে প্রয়োগ কোরছেন—আশা করি গভর্ণমেণ্ট এ বিষয়টা বুঝতে চেষ্টা কোরবেন। তাঁরা যে অন্যায় কোরছেন একথাটা তাঁরা অন্তরে অন্তরে জানেন। গভর্ণমেণ্টের যদি অন্তরে বিশ্বাস থাকত যে যাঁদের উপর এই নিষেধাজ্ঞা জারী করা হোয়েছে তারা গভর্ণমেণ্টকে বিপর্য্যস্ত কোরতে চায় তবে তাঁদের আটক করার অনেক উপায় আছে। তা না কোরে তাঁদের প্রচার কার্য্য বন্ধ করার কোন উদ্দেশ্য থাকে না। যদি গভর্ণমেণ্ট মনে কোরে থাকেন যে এই ভাবে তাঁরা কংগ্রেসের মধ্যে বিরোধ সৃষ্টি কোরবেন তাহোলে বোলব এতবড় ভুল গভর্ণমেণ্ট বোধ হয় কখনও করেননি। এই ভাবে ভুলের পর ভুল করা গভর্ণমেণ্টের নীতি। সেই ভুল তাঁরা যখন উপলব্ধি করেন তখন it is too late to mend সেই ভুল শোধরাবার জন্য লক্ষ লক্ষ টাকা ব্যয় করা হোয়েছে, অনেক সময় নষ্ট করা হোয়েছে তারপর সেই ভুল তাঁরা স্বীকার কোরছেন। যদি তাঁরা মনে কোরে থাকেন যে কংগ্রেসের মধ্যে বিভেদ সৃষ্টি কোরবেন তাহোলে সেটা অতি বড় ভুল হবে। এটা খুব সত্য কথা যে হয়ত সুভাষচন্দ্র ও স্বামী সহজানন্দ যে প্রগ্রামটা দেশের সামনে দিচ্ছেন, কংগ্রেস কর্ম্মীদের মাঝখানে সে সম্বন্ধে মতভেদ থাকতে পারে। কিন্তু দেশের স্বাধীনতা আনয়ন করার জন্য এবং বর্ত্তমান গভর্ণমেণ্টকে অচল করা সম্বন্ধে কংগ্রেস কর্ম্মীদের মধ্যে বিভেদ কিছুমাত্র নাই। যদি এই উদ্দেশ্য নিয়ে গভর্ণমেণ্ট কাজ কোরে থাকেন তাহোলে তাঁদের স্মরণ করিয়ে দিতে চাই যে তাঁরা অত্যন্ত ভুল কোরেছেন। এইরূপ আইন কোরে তাঁরা বর্ত্তমানে যা ক্ষতি করবার তা কোরেছেন। ভবিষ্যতের জন্য তাঁরা আরও অমঙ্গলের সৃষ্টি কোরেছেন। এইজন্য আমি বোলব যে সকল দিক দিয়ে বিবেচনা কোরে এই prohibitory order যাতে তুলে নেওয়া হয় তার ব্যবস্থা গভর্ণমেণ্ট করুন।

Kazi EMDADUL HAQUE: Mr. Speaker, Sir, taking even a most dispassionate view of the whole affair I do not think I can have a word of approbation for the Hon'ble the Home Minister for his action in gagging the press in the matter of publication of proceedings of meetings held by Srijut Subhas Chandra Bose, the leader of the Forward Bloc. Sir, there is a movement in the country for the freedom of the land and this movement is going on far and wide into the country and every lover of the country is in this movement. We say that our country should not be under the perpetual domination of the foreigners but that it should be liberated as soon as possible. Sir, there are numerous leaders in this country and we must know who is the true leader, and we must choose that leader. Though there are numerous leaders in the country propagating their ideas far and wide we must select the one whom we are to follow and discard the leader

who is not suitable. So Government ought to give more facilities to all the leaders to propagate their ideas so that the people might after hearing them choose their own course. Now, Sir, we have a right to ask those persons who pose as our leaders to place all their cards on the table so that we can judge them and having heard and known what their ideas are and where they want to lead us we shall be in a position to choose our path. So until and unless we know what are the activities, what are the doings and what is the idealism of a particular leader we cannot possibly shape our course. In the country, Sir, there are also numerous organisations just as there are numerous leaders propagating their ideals. There are numerous organisations in the country out to propagate their own views. So I do not know why the Forward Bloc alone should be selected as the one organisation that should not be allowed to propagate its own views while all other parties should be allowed to go on merrily discussing their own view points before the country. The Congress organisation under Mahatma Gandhi is not banned; the organisation of Mr. Manabendra Nath Roy is not banned; even the organisation of Swami Sahajananda is not banned. The Muslim League under Mr. Jinnah is not banned, but only the organisation of Mr. Subhas Chandra Bose is banned. Now, Mr. Jinnah claims that he will be our liberator; Mahatma Gandhi also says so, that he will lead us to our goal and Mr. Subhas Chandra Bose equally wants us to believe that he will be in a position to lead us to our goal, and that he will be able to win freedom for our country, and that too in a non-violent way. So why should we not know his viewpoint? Why should Government stand in the way of our knowing his viewpoint? Let us have his cards placed on the table and when we are able to judge him that he is a fit man to follow we must follow him and if we find, after he has placed his cards on the table, that he is not the man who should be followed we will discard him. Any way, it is necessary that Government should give Mr. Subhas Chandra Bose more facilities to propagate his own views, so that an opportunity might be given to the people who are eager to hear him. So, I submit that the Home Minister will do well to revise his own order of banning the proceedings of the meetings of Mr. Subhas Chandra Bose, and if necessary to give him facilities for propagating his ideas, as well as an opportunity to us to make up our own minds whether he is a suitable leader to follow. With these few words I beg to subscribe to the views expressed by the mover of the adjournment motion.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, if I rise to speak on this adjournment motion it is not because I feel that I can say anything which will add to the force or to the beauty of the speech which has been delivered by my honourable and learned friend, Srijut

Santosh Kumar Basu. If I rise to speak it is because I feel that it is my duty as the Leader of the Opposition to enter a protest—a most emphatic protest—against this encroachment upon the fundamental rights of the people—this attempted suppression of the civil liberties of the people; and I desire to address to the House a few homely words in order to make the House realise that this encroachment, however innocent it might look on the surface, has a far-reaching effect and, if pushed to its logical conclusion, will mean the utter denial of the rights and liberties of the subject.

Now, Sir, if I may draw the attention of the House to the first clause of the order of the Government, it is in these terms—

> "Any document containing a reference by way of statement, advertisement, notice, news, comment or otherwise, to the whole or any part of any programme for the so-called National Week, 1940."

This is what is sought to be suppressed—it has been described as the "so-called" National Week, 1940. It has been described in the words that follow, namely,—

> "The programme issued by or on behalf of the suspended Bengal Provincial Congress Committee, or any body affiliated thereto or connected therewith or Mr. Subhas Chandra Bose and Swami Sahajananda or either of them."

I will not quote the remaining words. May I ask the Hon'ble the Home Minister to state to this House what is the difference between the two programmes for the celebration of the National Week, 1940—I mean the programme of the official Congress and the programme of what he has described as the "suspended" Bengal Provincial Congress Committee? Does he find any difference in the programmes of the two bodies? If he does, it is up to him to state to the House what the difference is and to satisfy the House that the programme of the latter body is contrary to law. If it is contrary to law, may I ask him to state to this House why he has not gone the length of banning public meetings convened by the so-called suspended Bengal Provincial Congress Committee? Is the programme legal? If it is legal—and I should assume it is, because the Government have not issued any orders for the suppression of any meetings convened by that body—if it is legal, what on earth is the justification for the suppression of news regarding meetings, assemblies, processions or other steps that may be taken by that body? If it is illegal, then what on earth is the reason for not banning the meetings, processions and assemblies convened by that body? The Government are on the horns of a

dilemma. Either I am right in saying that the programme is legal in which case the Government that seek to suppress news of the activities of that body are not fit to sit on the Treasury Benches; or if it is illegal, it is up to Government to explain as to why they have not had the courage to enforce the law.

Then, Sir, the Hon'ble the Home Minister—I believe he is the person primarily responsible for this order though the Governor's name has been lent to it—has described it as the so-called National Week, 1940. I do not understand what he means by the words "so-called". If it is celebration by the official Congress, it is celebration of the National Week, 1940. If it is celebration by a large section of that Congress known as the Forward Bloc, it is nevertheless celebration of the National Week, 1940. But, if there is any difference in the programmes, a difference which the Hon'ble the Home Minister can point out to the House as bordering on illegality, then I would ask him to take courage in both hands and to ban the meetings, processions and assemblies convened by the latter body. If he has not the courage to do so, I shall conclude, and I shall ask the House to conclude and I shall ask the wider public outside the House to conclude, that there is no legal or moral justification for the promulgation of an order of this nature. Sir, what is the effect of this order? Meetings, processions and assemblies convened or organised by Mr. Subhas Chandra Bose or Swami Sahajananda, are not banned. The thirty-thousand, forty-thousand, fifty-thousand or sixty-thousand people who attend these meetings everyday are allowed to listen to their speeches and to their invocations and appeals. The message of these leaders is wafted across the winds and waters that divide parts of the province from others. But according to the Hon'ble Home Minister, who, I take it, is responsible for the order, what is good for Calcutta is not good for the rest of the province. He has implied that it is good for Calcutta and its citizens, for thousands and thousands of people who attend these meetings, to listen to the speeches and the appeals of these leaders, but in the same breath he says that it is not good for the people of the province to listen to the reports of these speeches or to read the reports of these speeches in newspapers and other documents. Again, may I ask him what is the justification for that? How does he differentiate between what is good for Calcutta and what is good for the rest of the province? Sir, speaking of places outside Calcutta and inside this province, the speeches of the local leaders, the meetings convened by the local leaders, the processions organised by the local leaders, the assemblies meeting at the request of the local leaders, none of them are banned. But when it comes to reading reports of these meetings and assemblies in Calcutta, according to the Home Minister, that is either sacrilege or blasphemy. What reason, I ask him again, is there for this differentiation?

Now, Sir, I come to the second clause which is the last clause of this order. Any document containing a reference by way of comment to this order is also banned. I would ask members of this House to consider the implication of that clause. What is the implication? Will honourable members ponder for a moment? The implication is this. Pushed to its logical conclusion—I do not credit the Government with courage to push it to its logical conclusion—pushed to its logical conclusion, it means that a report of the proceedings of this House which may appear in the public papers, which ought to appear in the papers to-morrow, is banned because *prima facie* it is a document containing a reference by way of comment to this order. Comment made in this House when it appears in the papers to-morrow means repetition of that comment in the public press, and the implication of clause (2) is that even the proceedings of this legislature are banned. I would ask him again what is the justification for the promulgation of an order of this nature banning the report of the proceedings of the legislature?

In this connection, may I remind the House that even in the stirring times in which we are living, more stirring 6,000 miles away than it is here, the press 6,000 miles away has not been gagged? News coming from a distance of 6,000 miles are still appearing in the public press of India; and yet the Home Minister in his wisdom thinks it necessary to ban reports of meetings, processions and assemblies in the city of Calcutta and in the province. Sir, I should have thought some cogent reason would have been put forward by the Government in the press communiqué in justification of this order, in justification of an order which I may describe, I think, as an instance of panic on the part of Government. But, in this connection, I would tell the Hon'ble Home Minister and his colleagues that this panic on the part of the Government is not going to be followed by panic on the part of the people; and if they think that the effect of the order will be that the celebration of the National Week will be stopped, they are very much mistaken. This order is no doubt very flattering to Mr. Subhas Chandra Bose and Swami Shahajananda and their followers, among whom I have the honour to count myself as one—it is no doubt flattering to their followers to find that they have been singled out for this mark of favour from the Government. But it is not a case of one individual here or one individual in an adjoining Province—it is a question of the rights of the people, the liberties of the people; and in the name of those rights and liberties, I on behalf of the Opposition do enter again my most emphatic protest. I would say, Sir, that if the Government persevere in following this mistaken policy—a policy which would not find favour in any of the countries which are really in a state of war—if the Government persevere in following this mistaken and, may I add, foolish policy, they will soon

at the little credit that they might have earned during the last years of office, that little credit will vanish not only in the eyes people of Bengal, but in the eyes of the civilized world.

Sir, I would say that the responsibility for advising the Governor to promulgate this order is entirely on the Hon'ble Home Minister and his colleagues. I would say that it is the height of irresponsibility on the part of the Ministry to advise a constitutional Governor to promulgate an order of this nature. I am not so much concerned with the personal feelings or the personal position of the Governor in this House. What I am mainly concerned with is that the Governor should have been advised in a manner which, pushed to its logical conclusion, would mean the deprivation of the rights and liberties of subjects.

Sir, the "so-called National Week" and the reports of the "so-called National Week" may be banned. But I may tell the Hon'ble Home Minister before I conclude that the National Week which has been celebrated ever since the massacre at Jallianwalla Bagh with almost religious fervour, will continue to be celebrated in spite of the orders of the Government of Bengal with equal if not more religious fervour as time rolls on. (Cheers from the Congress Benches.) And when India attains her independence, it will be celebrated with even greater religious fervour, the Government of Bengal notwithstanding.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as you are aware, there are differences of opinion when an order of Government is passed. But so far as this order is concerned, if, for the time being, we leave out of consideration all that have been said to-day, the general impression in the country is unanimously in favour and in support of the order that has been the subject-matter of to-night's discussion. (Cries of "question" "question" from Opposition Benches and counter-cries of "hear" "hear" from Coalition Benches.) It is strange but it is true that most of the people belonging to practically all parties and all shades of opinion with whom I have discussed this matter have admitted to me——

Mr. SARAT CHANDRA BOSE: Who are they?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not the usual practice to disclose the names of persons——

Mr. SARAT CHANDRA BOSE: You have not the courage.

The Hon'ble Khwaja Sir NAZIMUDDIN: But from persons with whom we have had private conversation——

Mr. SARAT CHANDRA BOSE: You have not the courage to disclose their names.

The Hon'ble Khwaja Sir NAZIMUDDIN: The honourable member can find it out from the general public. The general opinion is that it is—to quote the word usually used in Bengal—a চক্ষুকাণ order——

Mr. SARAT CHANDRA BOSE: Sir, am I not entitled to reply? Will the Hon'ble Minister take a referendum on this question when he speaks in the name of the public?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, a referendum has already been taken because so far as the official Congress is concerned, it has announced its views and so far as the public are concerned, they have made their choice between the official Congress and the suspended Bengal Provincial Congress Committee.

Sir, before I deal with this question, I would like to make one point clear and the dilemma in which Mr. Sarat Chandra Bose found himself will be solved when I read out to the House the two programmes—one of the official Congress and the other issued by Mr. Subhas Chandra Bose and Swami Shahajananda.

The programme of subjects issued by Mr. Subhas Chandra Bose and Swami Shahajananda for the National Week meetings is as follows:—

6th April—Demand for Independence, burning of effigy of compromise.

7th April—Kisan and Mazdoor demands and the need for independence.

(Mr. SARAT CHANDRA BOSE: Is it illegal?)

8th April—War policy of the British Government and the need for independence.

(Mr. SARAT CHANDRA BOSE: Is it illegal?)

9th April—Suppression of civil liberty, demand for release of political prisoners and the need for independence.

10th April—Youth and students' demands and the need for independence.

11th April—States people's demands and the need for independence.

12th April—Implementing the Haripura Resolution.

13th April—Homage to Nation's Heroes and Martyrs.

This is the programme of one side——

Mr. SARAT CHANDRA BOSE: Which item is illegal?

Mr. SPEAKER: Mr. Bose, I am sorry I do not think you are entitled to interject so often. Will you kindly do it at the time when he finishes?

Mr. SARAT CHANDRA BOSE: It is no use interjecting when the speech is over.

Mr. SPEAKER: Then I will have the painful duty of deciding that you cannot interject.

Mr. SARAT CHANDRA BOSE: Very, well, you may decide as you like.

The Hon'ble Khwaja Sir NAZIMUDDIN: I will now read out the Bengal Congress Election Committee's circular:—

(1) Organising "Probhat Pheries".

(2) Hawking Khadi and other products of village handicrafts.

(3) Organising spinning demonstrations.

(4) Holding group meetings with representatives of different communities to bring about communal amity.

(5) Holding group meetings with representatives of depressed classes to remove untouchability.

(6) Holding group meetings with the Primary Congress members of the locality to impress upon them the conditions necessary for the national struggle.

(7) Holding public meetings to popularise the constructive programme of the Congress.

(8) Collection of funds for the Congress.

(9) Enlistment of volunteers.

Now, Sir, I have read out the two programmes: comments are unnecessary. But I would like to know whether Government would have been justified to ban the programme of the National Week celebration as announced by the Bengal Congress Election Committee's circular. There is nothing in the programme which can be termed as prejudicial action or prejudicial speech or anything that comes under the Defence of India Act. The other programme requires no comment. It is obvious that there are materials in it that do come within the mischief of the Defence of India Act. Therefore there is absolute justification for the differentiation that has been made by Government in dealing with the two organisations——

Mr. SARAT CHANDRA BOSE: Mr. Speaker, am I in order, now that the Hon'ble Minister has finished reading his items, to ask him which item in the programme of Mr. Subhas Chandra Bose he considers to be illegal?

The Hon'ble Khwaja Sir NAZIMUDDIN: The question whether they are legal or illegal will depend, when Government takes action, on their prejudicial action or prejudicial speeches. The question can be decided then. But in the view of Government this is a programme which they do not think it advisable should receive publicity.

Now, Sir, there is one other point which the House must bear in mind. It is not alone the celebration of the National Week, it is not alone the act of going through the programme as announced, but the members must take into consideration the speeches made by Mr. Subhas Chandra Bose from time to time, the resolution that was passed at Ramgarh and his announced policy.

Mr. M. SHAMSUDDIN AHMED: Why not prosecute him?

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. Shamsuddin will understand better than any other gentleman that Government know how to deal with matters that relate to administration, and they will employ the method which they consider best as to how to deal with the situation. If we have stopped publicity it does not mean that Government will not take action if they think that there had been prejudicial action and prejudicial speech.

Now, Sir, as to when action would be taken against those who are going against the Government, discretion must be left to the Government. As soon as opportunity arises and if they think there is necessity for it, Government will not hesitate to take action.

Before I deal with other speakers there is one other point to which I would like to refer from the speech of the Leader of the Opposition. The Leader of the Opposition has waxed eloquent over defending the rights and liberties of the press. It certainly sounds strange and hollow, because if we remember aright it was he and his supporters—I do not mean his supporters in this House—who have more than once gone in for boycott of the press. How can he of all people come forward and say that I am curtailing the liberty of the press. Sir, people who dismiss editors because they have expressed their honest convictions, people who advocate boycott of press because it advocates a policy which is not approved of by them, surely they are the last persons who can accuse Government if they take action against newspapers or refuse giving publicity in the newspapers. Sir, after all if we come to this

[illegible] what has Government done? Already there is a number of influential Indian papers which have decided not to give undue publicity of Mr. Subhas Chandra Bose.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, may I ask for the names of these papers?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sure the Hon'ble the Leader of the Opposition knows it very well. As a matter of fact, he knows it better than myself.

Mr. SARAT CHANDRA BOSE: Sir, I am trying to find out the connection between the Hon'ble Minister and those papers.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, it is for the Home Minister to get all the information whether it belongs to this party or the other party.

Sir, the Government have gone one step further, and for the time being they have thought it advisable not to give publicity to the activities and the views of Mr. Subhas Chandra Bose.

Sir, I do not want to say more to expose the Opposition any further, specially, Sir, we appreciated very much the sumptuous dinner that was given to us yesterday and in view of that and as to-day is the last day of the session, we want to go away without any feeling, Sir, and I feel that now I should stop. But I want to assure the House about one thing and that is that this order has been passed in the best interests of the province and I am sure there are many who realize that they do not want situations created which will be unpleasant and which will lead to serious difficulties and the idea of the Government for taking this step is to avoid those situations and to see that peace, law and order is maintained in this province and at the same time people have their right to do as they like.

Mr. SANTOSH KUMAR BASU: May I just remind Sir Nazimuddin of one matter as regards the publication of the report of these proceedings in the press?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as the proceedings of the Assembly are concerned, I would like to draw the attention of the honourable member that the newspaper reports are not privileged and the interpretation of the Law I cannot give. But without creating any precedent, on this occasion as far as Government is concerned, they do not propose to take any action against any paper if it prints only the debate without any comment whatsoever.

The motion of Mr. Santosh Kumar Basu that the House do now adjourn, was then put and a division taken with the following result:—

AYES—72.

Abdul Jabbar Paiwan, Mr. Md.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prasad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chattopadyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Das, Babu Padhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ganguly, Mr. Pratul Chandra.
Ghose, Mr. Atul Krishna.
Ghiasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Mukherji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pain, Mr. Barada Prasanna.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Rai Bahadur Jogesh Chandra.
Shamsuddin Ahmed, Mr. M.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Narendra Kumar.
Thakur, Mr. Pramatha Ranjan.
Waliur Rahman, Maulvi.
Zaman, Mr. A. M. A.

NOES—104.

Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Khan Bahadur Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed Maulvi, Md.
Abul Hashim, Maulvi.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Enayetpuri Khan, Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Anwarul Azim, Khan Bahadur Md.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Barat Ali, Mr. Md.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirti Bhusan.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Quadir, Khan Bahadur Maulvi.

Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Golam Sarwar Hosaini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Hafizuddin Choudhuri, Maulvi.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan Khan Bahadur Maulvi.
Hashina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Haywood, Mr. Rogers.
Idris Ahmed, Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Mr.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed. Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsai Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, Mr. Dhananjoy,
Roy, Mr. Patiram.
Sahabe Alum, Mr. Syed.
Sadaruddin Ahmed, Mr.
Salim, Mr. S. A.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Stark, Mr. A. F.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

The Ayes being 73 and the Noes 104, the motion was lost.

Thanks to the Chair.

The Hon'ble Khwaja Sir NAZIMUDDIN: Just before we conclude, Sir, in the absence of the Hon'ble the Chief Minister who is unavoidably absent, I express our sincere appreciation of the way in which the business of the House has been conducted this session, and I sincerely thank you, Sir.

Mr. SPEAKER: On the eve of prorogation of this House I must wish you all god-speed and health and happiness during the interval. I am not sure when we are going to meet again, but most probably we are likely to meet in the third or fourth week of July as far as the present arrangement stands. This session we had to pass through very difficult and yet happy times. I feel that if we can work in an atmosphere of friendly feelings, we can get settled everything and have model parliamentary working as we all desire. I must also thank all sides of the House—the Coalition party, the Opposition and other groups—for the courtesy they have shown and the help they have most of the times given me. I will not remember those occasions on which help has

not been given to me to the degree desired, because I believe that it is the duty of the Speaker to see that even though at times there might be some hitch, it may not mar our happy parliamentary relations.

I am not sure whether we will be able to see the Chief Government Whip any more in the next session. Rumours are afloat that he is going for another work. Since I may not have the opportunity of meeting him again in this House I must allude to the manner in which he has in this session and in the previous sessions given me help and assistance, and I must record my appreciation of the excellent manner in which he has done his work.

Before I conclude I must say one or two words as regards our office, and that is that members of all sides of the House will realise that our office has had to work under very difficult circumstances, and I appeal to the Hon'ble the Home Minister once again; I hope I shall not have to repeat Cowper's famous lines "by expectation everyday beguiled the dupe of to-morrow" even from the first session. I hope before the next session we will be able to do something by which we can compensate them for very long hours of work which they have to do every session. I feel not in this session only but there have been occasions in the past sessions on which everybody in our office had to work till midnight in accordance with my instructions and I appreciate the manner in which they ungrudgingly finished their work even though, I must say, it was too much for them.

Prorogation.

Mr. SPEAKER: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Assembly stands prorogued.

B. G. Press—1940-41—1590A—900.

Index to the
Bengal Legislative Assembly Proceedings
(Official Report.)

Vol. LVI—No. 5—Seventh Session, 1940.

26th to 30th March and 1st, 3rd, 8th and 9th April, 1940.

[(Q.) Stands for question.]

Abdul Aziz, Maulana Md.

Staff in the office of the Administrator General and Official Trustee of Bengal: (Q.) p. 398.

Abdul Hafiz, Mr. Mia

Superintendent of the Royal Botanical Garden, Sibpur: (Q.) p. 12.

Abdul Hafiz, Mr. Mirza

Demands for Grants—Veterinary: p. 157.

Expenditure for the office of the Conservator of Forests: (Q.) p. 262.

Water-supply schemes in the rural area of Mymensingh: (Q.) p. 271.

Abdul Hakeem, Mr.

Communal ratio in the office of Inspector-General of Registration, Bengal: (Q.) p. 493.

Girls' hostels in Calcutta: (Q.) p. 493.

Promotions in the office of the Administrator General and Official Trustee, Bengal: (Q.) p. 338.

Abdul Hakim, Maulvi

Bengal Non-Agricultural Tenancy Bill, 1939: p. 326.

Death of Nurujaman, a worker of Dayamoyee Jayanti Sugar Mills, at Kishoreganj: (Q.) p. 476.

Abdul Jabbar, Maulvi

Establishment of an additional Court of Deputy Magistrate at Dinajpur (Q.) p. 229.

Inadequacy of arrangements for treatment of cattle disease in certain police-stations of Dinajpur district: (Q.) p. 290.

Intelligence Branch of Police in Midnapore: (Q.) p. 279.

Remission of current rent and interest on arrear rents in Janbazar Ward Estate in Dinajpur: (Q.) p. 495.

Abdul Karim, Mr.

Scheme for scaling down co-operative debts of members of societies: (Q.) p. 461.

Tour of the Director of Public Health (Q.) p. 235.

Abdul Latif Biswas, Maulvi

Suspension of work in Criminal Courts at Manikganj on Fridays during prayer time: (Q.) p. 254.

Abdul Majid, Mr. Syed

Appointment of teachers of Guru Training Centres: (Q.) p. 174.

Distress of people of Sandwip and certain other islands due to erosion caused by the Meghna: (Q.) p. 393

Gratis

Abdul Majid, Mr. Syed—(*concld.*)

Remission of rents to khas mahal tenants in Sandvip, Hatiya and Ramgati Circles, Noakhali: (Q.) p. 73.

Scheme for scaling down co-operative debts of members of societies: (Q.) p. 377.

Abdul Wahab Khan, Mr.

Drainage and embankment of Satla *bil* area in Bakarganj district: (Q.) p. 369.

Inadequate drainage and embankment in the district of Bakarganj: (Q.) p. 363.

Abdul Wahed, Maulvi

Demands for Grants—Co-operation: p. 109.

Abdulla-Al Mahmood, Mr.

C. S. Roll in Police service: (Q.) p. 173.

Demands for Grants—Provincial Excise: p. 53.

Promotion of Assistant Sub-Inspectors of police in Rajshahi Division: (Q.) p. 379.

Abdur Rahman, Khan Bahadur, A. F. M.

Agricultural improvement in Baraset and Basirhat subdivisions, 24-Parganas: (Q.) p. 226.

Drainage of Datbhanga *bil* in Basirhat subdivision, 24-Parganas: (Q.) p. 367.

Grants to dispensaries in Baraset and Basirhat subdivisions, 24-Parganas: (Q.) p. 456.

Irrigational improvements in Basirhat and Baraset subdivisions, 24-Parganas: (Q.) p. 452.

Recruitment of constables from amongst the inhabitants of the 24-Parganas. (Q.) p. 301.

Abdur Rashid Mahmood, Mr.

Allotment and expenditure from Government of India's Rural Uplift Grants in Pabna district: (Q.) p. 176.

Arrangement for prayers in Pabna Jail and Serajganj Sub-Jail: (Q.) p. 449.

Communal ratio of dismissed Police Sub-Inspectors: p. 300.

Distress of people of Serajganj subdivision due to failure of crops: (Q.) p. 77.

Encouragement from Government towards Muslim education: (Q.) p. 492.

Free primary education in Pabna: (Q.) p. 396.

Grant-in-aid to middle English schools and madrassahs in Pabna: (Q.) p. 470.

Grants to anti-malaria societies in Pabna (Q.) p. 163.

Repayment of agricultural loans in certain parts of Serajganj subdivision: (Q.) p. 464.

Silting up of the Hurasagar and certain other rivers in Pabna: (Q.) p. 370.

Abu Hossain Sarkar, Maulvi

Demands for Grants—Co-operation: p. 105.

Supplementary demands: p. 239.

Abul Fazl, Mr. Md.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 407, 409, 418.

Demands for Grants—Provincial Excise: p. 46.

Selection of Assistant Settlement Officers from Sub-Deputy and Deputy Collectors: (Q.) p. 391.

Vacancies filled up by different communities in the Khas Mahal Department of Bengal: (Q.) p. 358.

Abul Hashim, Maulvi

Managing Committee of the Burdwan Town School: (Q.) p. 485.

Abul Hosain Ahmed, Mr.

Demands for Grants—Veterinary: p. 147.

Re-excavation of the Balchha river in Mymensingh: (Q.) p. 3.

Splitting up of the Muhammadan Marriage Registration office at Jamalpur, Mymensingh: (Q.) p. 11.

Adjournment Motion: pp. 279-280, 400-406, 498-519.

Aftab Hosain Joardar, Maulvi

Bengal Marriage Dowry Prevention Bill, 1939: p. 327.

Agricultural improvement in Baraset and Basirhat subdivisions, 24-Parganas: (Q.) p. 226.

Ahmed Khan, Mr. Syed

Chaukidars and dafadars under Union Boards, Bengal: (Q.) p. 228.

Demands for Grants—Veterinary: p. 155.

Government action on resolution passed by Third Divisional Co-operative Conference in the Chittagong Division: (Q.) p. 390.

Reservation of posts of Muhammadan Marriage Registrars for old scheme Final Madrassah passed Maulvis: (Q.) p. 26.

Transfer of the present Divisional Auditor, Chittagong Division: (Q.) p. 378.

Ahmed Ali Mridha, Maulvi

Qualification of the Textile Superintendent and the Head Master, Government Silk Weaving Institute: (Q.) p. 266.

Supply of dietary materials and rations to Campbell Hospital: (Q.) p. 1.

Allegations against some soldiers of the Frontier Force Regiment stationed at Dacca: (Q.) p. 486.

Allotment and expenditure from Government of India's Rural Uplift Grants in Pabna district: (Q.) p. 176.

Allotment for road and water-works in the rural areas of Kurigram subdivision, Rangpur: (Q.) p. 452.

Amount of stipend of students under training in temporary training centres: (Q.) p. 443.

Anwarul Azim, Khan Bahadur Md.

Bengal Village Self-Government (Amendment) Bill, 1939: p. 331.

Application for licence of cinema house at Dinajpur: (Q.) p. 490.

Application of the Defence of India Rules in Bengal: (Q.) p. 74.

Appointment

Of clerks by District Judge of Bakarganj since 1st April, 1937: (Q.) p. 369.

Of Committees or Commissions by Government since the 1st April, 1937: (Q.) p. 77.

Of Excise Officers from among Bengal Civil Service examinees: (Q.) p. 24.

Of House Surgeons for Eden Hospital, Calcutta Medical College: (Q.) p. 22.

Of teachers of Guru-training centres: (Q.) p. 174.

Of teachers under the District School Board, Noakhali: (Q.) p. 222.

Of women Assistant and Sub-Assistant Surgeons: (Q.) p. 233.

On the recommendation of the Public Service Commission: (Q.) p. 273.

Arrangement for prayers in Pabna Jail and Serajganj Sub-Jail: (Q.) p. 449.

Arrests

Made in connection with Government measure to control profiteering: (Q.) p. 477.

Made in Faridpur district since the outbreak of war under the Defence of India Rules: (Q.) p. 259.

Made under the Defence of India Ordinance, Indian Penal Code and Criminal Procedure Code in Jalpaiguri: (Q.) p. 256.

Asimuddin Ahmed, Mr.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 409, 410, 419.

Assessment of Government buildings by Corporation of Calcutta: (Q.) p. 381.

Aulad Hossain Khan, Khan Bahadur Maulvi

Communal ratio in temporary Land Acquisition Department started at Dacca Collectorate: (Q.) p. 296.

Azhar Ali, Maulvi

Appointment of Excise Officers from among Bengal Civil Service examinees: (Q.) p. 24.

Communal ratio in appointments of Superintendents and Inspectors of Excise: (Q.) p. 218.

Banerjee, Mr. Sibnath

Demands for Grants—Co-operation: p. 110.

Demands for Grants—Miscellaneous Departments: p. 192.

Banerjee, Dr. Suresh Chandra

Adjournment motion: p. 502.

Demands for Grants—Miscellaneous Departments: p. 197.

Dismissal of two workers of the generating station of the Calcutta Electric Supply Corporation at Metiaburs: (Q.) p. 177.

Membership of certain Trade Unions in Calcutta: (Q.) p. 14.

Banerjee, Dr. Suresh Chandra—(*concld.*)

Objection against certification of some Trade Unions: (Q.) p. 17.

Persons warned, arrested or convicted under the Defence of India Ordinance, 1939, in Bengal: (Q.) p. 258.

Protective measures against water-hyacinth in Arial *bil* area in Dacca: (Q.) p. 165.

Rise in prices of foodstuffs commonly used by industrial workers in Bengal since the outbreak of the war: (Q.) p. 474.

Banerji, Mr. Satya Priya

Circular from Registrar, Co-operative Societies, to Secretaries of Central Co-operative Banks: (Q.) p. 286.

Demands for Grants—Provincial Excise: p. 43.

Barma, Babu Premhari

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 428, 429, 430.

Barma, Mr. Puspajit

Withdrawal of ban on newspapers: (Q.) p. 359.

Basu, Mr. Santosh Kumar

Adjournment motion: p. 498.

Programme of Business—Motor Vehicles Rules: p. 281.

Bell-Hart, Miss P. B.

Appointment of women Assistant and Sub-Assistant Surgeons: (Q.) p. 233.

Bengal Marriage Dowry Prevention Bill, 1939: p. 327.

Bengal Municipal (Amendment) Bill, 1937: pp. 315-324.

Bengal Non-Agricultural Tenancy Bill, 1939: pp. 326-327.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 406-434, 497.

Bengal Village Self-Government (Amendment) Bill, 1939: pp. 327-333.

Bengal Wakf (Amendment) Bill, 1937: pp. 326-327.

Betel leaf cultivation in Bengal: (Q.) p. 350.

Bill

Bengal Tenancy (Third Amendment) —, 1939: pp. 406-434, 497.

Birkmyre, Sir Henry

Demands for Grants—Provincial Excise: p. 49.

Biswas, Mr. Rasik Lal

Appointment of House Surgeons for Eden Hospital, Calcutta Medical College: (Q.) p. 22.

Grant for Scheduled Caste education: (Q.) p. 341.

Biswas, Mr. Surendra Nath

Arrests made in Faridpur district since the outbreak of war under the Defence of India Rules: (Q.) p. 259.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 406, 407, 408, 409, 410, 412, 413, 414, 415, 416, 429, 430, 431, 432.

Institutions banned by Government in Faridpur district: (Q.) p. 81.

Recruitment of typists for Secretariat by competitive examination: (Q.) p. 396.

Supplementary Demands—Deposits and Advances: p. 248.

Supplementary Demands—Extraordinary charges in India: p. 249.

Blasphemous writing in the daily "Azad": (Q.) p. 450.

Board of Apprenticeship Training Examination: (Q.) p. 448.

Bogra Central Co-operative Bank, Ltd.

Conduct of the Inspector in charge of—: (Q.) p. 20.

Bose, Mr. Sarat Chandra

Adjournment motion: p. 509.

Adjournment motion—Calcutta Corporation Scavengers' strike: p. 279.

Budget estimate of Bhogdanga Union Board, Kurigram, for 1347 B.S.: (Q.) p. 385.

Cattle epidemic in Kasba police-station, Tippera: (Q.) p. 273.

Census of infirm persons: (Q.) p. 464.

Chakrabarty, Babu Narendra Narayan

Recruitment of Calcutta Police: (Q.) p. 230.

Charges on account of Motor Vehicles Acts, 12—Demands for Grants: p. 134.

Chaudhuri, Rai Harendra Nath

Application of the Defence of India Rules in Bengal: (Q.) p. 74.

Bengal Municipal (Amendment) Bill, 1937: pp. 315, 316, 318, 319.

Dacoities committed during the last five years: (Q.) p. 84.

Demands for Grants—Other Taxes and Duties: p. 139.

Offences against women: (Q.) p. 232.

Publication in the *Ananda Bazar Patrika* of an article regarding multiplication of maktabs: (Q.) p. 6.

Supplementary Demands: p. 236.

Chaukidars and dafadars under Union Boards, Bengal: (Q.) p. 228.

Circular from Registrar, Co-operative Societies

To Secretaries of Central Co-operative Banks: (Q.) p. 286.

Civil Courts

Scheduled Caste employees in the—of Burdwan district: (Q.) p. 4.

Clerical Strength in Land Acquisition Offices, Calcutta: (Q.) p. 69.

Clerks in the Tippera Collectorate: (Q.) p. 69.

Communal proportion

Of upper division clerks in Civil Courts of Noakhali: (Q.) p. 346.

Communal ratio

In appointments of Superintendents and Inspectors of Excise: (Q.) p. 218.

In appointments under Executive Engineer, Eastern Circle: (Q.) p. 172.

In Bengal Administrator-General's office: (Q.) p. 305.

In clerical services in Civil Courts, Rangpur: (Q.) p. 459.

In the office of Inspector-General of Registration, Bengal: (Q.) p. 493.

In temporary Land Acquisition Department started at Dacca Collectorate: (Q.) p. 296.

Of Civil Court clerks in the subdivisions of Midnapore: (Q.) p. 284.

Of clerks in certain offices in Darjeeling: (Q.) p. 443.

Of dismissed Police Sub-Inspectors: (Q.) p. 300.

Conduct of the Inspector in charge of the Bogra Central Co-operative Bank, Ltd.: (Q.) p. 20.

Conduct of scheduled banks in mufassal areas: (Q.) p. 462.

Conference

Of Presidents and members of the Union Boards of Arambagh subdivision, Hooghly: (Q.) p. 447.

Confiscation

Of certain *wakf* properties in Chittagong: (Q.) p. 441.

Construction

Of a bridge over Orissa Coast Canal at Satmail in Midnapore district: (Q.) p. 365.

Of Hajiganj-Matlab road in Tippera: (Q.) p. 372.

Co-operation—42

Demands for Grants: pp. 89-121.

Cost of liveries

Of dafadars and chowkidars in Union Boards of Rangpur district: (Q.) p. 380

C. S. Roll in Police Service: (Q.) p. 173.

Curriculum for primary schools in muktab areas: (Q.) p. 484.

Dacoities committed during the last five years: (Q.) p. 84.

Das, Mr. Anukul Chandra

Hostels for girls' schools in Calcutta: (Q.) p. 466.

Das, Babu Debendra Nath

Distribution of the grant of five lakhs for Scheduled Caste Education: (Q.) p. 4.

Das, Mr. Mahim Chandra:

Demands for Grants—Forests: p. 29.

Fees for examination of the students of the Medical Faculty, Bengal: (Q.) p. 224.

Refusal of permission to Students' Federation to hold meeting in Chittagong: (Q.) p. 263.

Das, Mr. Monmohan

Bengal Tenancy (Third Amendment) Bill, 1939: p. 418.

Suspension of tour work by Inspecting Officers at Mymensingh: (Q.) p. 71.

Das, Babu Radhanath

Conference of Presidents and members of the Union Boards of Arambagh subdivision, Hooghly: (Q.) p. 447.

Das Gupta, Babu Khagendra Nath

Arrests made under the Defence of India, Indian Penal Code and Criminal Procedure Code in Jalpaiguri: (Q.) p. 256.

Demands for Grants—Forests: p. 31.

Grievances of *adhiars* in khas mahal areas in Jalpaiguri: (Q.) p. 302.

Proposed transfer of a certain area round Buxa Cantonment in Jalpaiguri district to Forest Department: (Q.) p. 393.

Das Gupta, Srijut Narendra Nath

Blasphemous writing in the daily *Azad*: (Q.) p. 450.

Government nominations to Barisal Municipality: (Q.) p. 186.

Results of Bengal Civil Service Examination held in February, 1939: (Q.) p. 84.

Datta, Mr. Dhirendra Nath

Bengal Tenancy (Third Amendment) Bill, 1939. pp. 407, 410, 411, 412, 430.

Demands for Grants—General Administration—Debt Conciliation: p. 125.

Free primary schools in Tippera: (Q.) p. 466.

Government nominations to Barisal Municipality: (Q.) p. 170.

Maladministration in Union Boards: (Q.) p. 188.

Death

Of Nurujaman, a worker of Dayamoyee Jayanti Sugar Mills at Kishoreganj: (Q.) p. 476.

Debt Conciliation—General Administration—25

Demands for Grants: p. 121.

Demands for Grants

12—Charges on account of Motor Vehicles Acts: p. 134.

42—Co-operation: pp. 89-121.

Deposits and advances: p. 213.

63—Extraordinary Charges in India: p. 214.

10—Forests: pp. 27-41.

25—General Administration—Debt Conciliation: p. 121.

22—Interest on Debt and other obligations: p. 207.

57—Miscellaneous: pp. 207-212.

47—Miscellaneous Departments: pp. 191-206.

13—Other Taxes and Duties: pp. 135-146.

30—Ports and Pilotage: p. 206.

8—Provincial Excise: pp. 41-66.

56—Stationery and Printing and Depreciation Reserve Fund—Government Presses: p. 206.

55—Superannuation allowances and pensions. 55A—Commutations of pensions financed from ordinary revenues, and 83—Payment of commuted value of pensions not charged to revenue: p. 207.

41—Veterinary: pp. 146-162.

Deposits and Advances

Demands for Grants: p. 213.

Supplementary Demands: p. 247.

Development of silk industry in Malda: (Q.) p. 164.

Dismissal of two workers

Of the generating station of the Calcutta Electric Supply Corporation at Metiaburz: (Q.) p. 177.

Distress of people of Sandwip and certain other islands due to erosion caused by the Meghna: (Q.) p. 393.

Distress of people of Serajgunj subdivision due to failure of crops: (Q.) p. 77.

Distribution of the grant of five lakhs for Scheduled Caste education: (Q.) p. 4.

Drainage

And embankment of Satla *bil* area in Bakarganj district: (Q.) p. 369.

Of Datbhanga *bil* in Basirhat subdivision, 24-Parganas: (Q.) p. 367.

Dutta Mazumdar, Mr. Niharendu

Forcible ejectment of Gyan Chandra Panda from homestead at Rupmari, Hasnabad, 24-Parganas: (Q.) p. 387.

Notice served on Mr. Niharendu Dutta Mazumdar, M.L.A., by Bihar police: (Q.) p. 376.

Edbar, Mr. Upendranath

Appointment of clerks by District Judge of Bakarganj since 1st April, 1937: (Q.) p. 369.

Clerical strength in Land Acquisition offices, Calcutta: (Q.) p. 69.

Communal ratio in appointments under Executive Engineer, Eastern Circle: (Q.) p. 172.

Election

Of members to the District Board, Rangpur: (Q.) p. 446.

Of President of No. 10 Kankapait Union Board, Tippera: (Q.) p. 374.

Of a Secretary by the District School Board, Bogra: (Q.) p. 346.

Eligibility

Of Government servants for election to the District Board by Local Boards: (Q.) p. 360.

Emdadul Haque, Kazi

Adjournment motion: p. 508.

Allotment for road and waterworks in the rural areas of Kurigram subdivision, Rangpur: (Q.) p. 452.

Emdadul Haque, Kazi—*(concld.)*

Budget estimate of Bhogdanga Union Board, Kurigram, for 1347 B.S.: (Q.) p. 385.

Cost of liveries of dafadars and chowkidars in Union Boards of Rangpur district: (Q.) p. 380.

Grant-in-aid to the Jatrapur Bandar Madrassah in Kurigram subdivision, Rangpur: (Q.) p. 306.

Postponement of realisation of settlement cost in Kurigram subdivision, Rangpur: (Q.) p. 75.

Employment of Bengalees

In the Armed Branch of the Police Department: (Q.) p. 67.

Encouragement from Government towards Muslim education: (Q.) p. 492.

Enforcement of communal ratio decision in appointments under the Court of Wards: (Q.) p. 86.

Enhancement

Of notice fee by the Collector, Chittagong: (Q.) p. 352.

Establishment of an additional Court of Deputy Magistrate at Dinajpur: (Q.) p. 229.

Establishment of Debt Settlement Boards in Chittagong: (Q.) p. 221.

Establishment of a district agricultural farm in Noakhali: (Q.) p. 223.

Estates under the Court of Wards in Rangpur: (Q.) p. 181.

Excavation of Lohajang-Taltola khal in Dacca: (Q.) p. 449.

Excess payments made to rate collectors by ex-President of Pursura Union Board: (Q.) p. 189.

Excise shops held by members of different communities in Rangpur: (Q.) p. 187.

Expansion of Zerwarganj Government Weaving School: (Q.) p. 133.

Expenditure for the office of the Conservator of Forests: (Q.) p. 262.

Expenditure on commutation of pensions: (Q.) p. 80.

Extension of service

To the Chief Executive Officer, Corporation of Calcutta: (Q.) p. 297.

Of clerks in Deputy Commissioner's office, Darjeeling: (Q.) p. 349.

Extraordinary Charges in India—63

Demands for Grants: p. 214.

Supplementary Demands: p. 248.

Farhut Bano Khanam, Begum

Howrah-Hooghly Flushing and Irrigation Scheme: (Q.) p. 340.

Faziul Huq, the Hon'ble Mr. A. K.

Amount of stipend of students under training in temporary training centres: (Q.) p. 443.

Appointment of teachers of Guru Training Centres: (Q.) p. 174.

Bengal Wakf (Amendment) Bill, 1937: p. 327.

Communal ratio in the office of Inspector-General of Registration, Bengal: (Q.) p. 493.

Confiscation of certain wakf properties in Chittagong: (Q.) p. 442.

Curriculum for primary schools in muktab areas: (Q.) p. 484.

Demands for Grants—Co-operation: p. 112.

Demands for Grants—Provincial Excise: p. 57.

Distribution of the grant of five lakhs for Scheduled Caste education: (Q.) p. 5.

Faziul Huq, the Hon'ble Mr. A. K.—(*contd.*)

Election of a Secretary by the District School Board, Bogra: (Q.) p. 346.

Encouragement from Government towards Muslim education: (Q.) p. 492.

Free primary education in Pabna: (Q.) p. 396.

Free primary schools in Tippera: (Q.) p. 467.

Free Primary Teachership Examination in Tippera district: (Q.) p. 489.

Girls' hostels in Calcutta: (Q.) p. 493.

Grant for Scheduled Caste education: (Q.) p. 342.

Grant-in-aid to the Jatrapur Bandar Madrassah in Kurigram subdivision, Rangpur: (Q.) p. 306.

Grant-in-aid to Middle English Schools and Madrassahs in Pabna: (Q.) p. 471.

Grant of permission to departmental officers to apply for direct appointment: (Q.) p. 345.

Hostels for girls' schools in Calcutta: (Q.) p. 466.

Managing Committee of the Burdwan Town School: (Q.) p. 485.

Muslim Female Training School at Chittagong: (Q.) pp. 289, 442.

Primary schools in Mymensingh and annual recurring expenditure thereon: (Q.) p. 364.

Principal of the Jagannath Intermediate College, Dacca: (Q.) p. 290.

Publication in the *Ananda Bazar Patrika* of an article regarding multiplication of maktabs: (Q.) p. 6.

Reservation of posts of Muhammadan Marriage Registrars for old scheme Final Madrassah passed Maulvis: (Q.) p. 26.

Splitting up of the Muhammadan Marriage Registration office at Jamalpur, Mymensingh: (Q.) p. 12.

Faziul Huq, the Hon'ble Mr. A. K.—*(concld.)*

Statistics of High English Schools for boys and girls in Bengal: (Q.) p. 72.

Sub-Inspector of Schools for the Srinagar Circle: (Q.) p. 465.

Suspension of tour work by Inspecting Officers at Mymensingh: (Q.) p. 71.

Withdrawal of ban on newspapers: (Q.) p. 360.

(On behalf of the Minister in charge of the Judicial Department.) Scheduled Caste employees in the Civil Courts of Burdwan district: (Q.) p. 4.

Faziul Quadir, Khan Bahadur

Establishment of Debt Settlement Boards in Chittagong: (Q.) p. 221.

Expansion of Zorwarganj Government Weaving School: (Q.) p. 133.

Grants to non-Government Technical Schools: (Q.) p. 339.

Issue of crop loans through Co-operative Crop Loan Societies in 1939-40: (Q.) p. 296.

Muslim Female Training School at Chittagong: (Q.) pp. 288, 442.

Fees for examination of the students of the Medical Faculty, Bengal: (Q.) p. 224.

Fisheries settled by the East India Company: (Q.) p. 10.

Forced labour of under-trial prisoners in hajats: (Q.) p. 83.

Forcible ejectment

Of Gyan Chandra Panda from homestead at Rupmari, Hasnabad, 24-Parganas: (Q.) p. 387.

Forests—10

Demands for Grants: pp. 27-41.

Free primary education in Pabna: (Q.) p. 396.

Free primary schools in Tippera: (Q.) (Q.) p. 466.

Free Primary Teachership Examination in Tippera district: (Q.) p. 489.

Ganguly, Mr. Pratul Chandra

Government nominations to Barisal Municipality: (Q.) p. 170.

Persons arrested or convicted under Defence of India Act, 1938, in Bengal: (Q.) p. 183.

Girls' hostels in Calcutta: (Q.) p. 493.

Government action

On resolution passed by Third Divisional Co-operative Conference in the Chittagong Division: (Q.) p. 390.

Government nominations

To Barisal Municipality: (Q.) pp. 170, 186.

Grant

Of land to retired Gurkha military officers at Darjeeling: (Q.) p. 463.

Of permission to departmental officers to apply for direct appointment: (Q.) p. 345.

Grant-in-aid

To the Jatrapur Bandar Madrassah in Kurigram subdivision, Rangpur: (Q.) p. 306.

To Middle English Schools and Madrassahs in Pabna: (Q.) p. 470.

Grants

For Scheduled Caste education: (Q.) p. 341.

To anti-malaria societies in Pabna: (Q.) p. 163.

To dispensaries in Baraset and Basirhat subdivision, 24-Parganas: (Q.) p. 456.

To non-Government Technical Schools: (Q.) p. 339.

Grievances of adhiars

In khas mahal areas in Jalpaiguri: (Q.) p. 302.

Gurung, Mr. Damber Singh

Communal ratio of clerks in certain offices in Darjeeling: (Q.) p. 443.

Extension of services of clerks in Deputy Commissioner's office, Darjeeling: (Q.) p. 349.

Grant of land to retired Gurkha military officers at Darjeeling: (Q.) p. 463.

High rate of rents in certain estates in Darjeeling: (Q.) p. 445.

Income and expenditure of Darjeeling Improvement Fund for certain subdivisions of the district: (Q.) p. 225.

Restriction of motor lorries from running on Hill Cart road: (Q.) p. 186.

Iyasuddin Ahmed Choudhury, Alhadj

Forced labour of under-trial prisoners in hajats: (Q.) p. 83.

Recruitments made under Jute Registration scheme in 1939: (Q.) p. 169.

Silting up of the tributaries of the Padma flowing through East Madaripur, Faridpur: (Q.) p. 223.

Jabibullah, the Hon'ble Nawab Bahadur K., of Dacca

Appointment of House Surgeons for Eden Hospital, Calcutta Medical College: (Q.) p. 22.

Appointment of women Assistant and Sub-Assistant Surgeons: (Q.) p. 234.

Chaukidars and dafadars under Union Boards, Bengal: (Q.) p. 229.

Conference of Presidents and members of the Union Boards of Arambagh subdivision, Hooghly: (Q.) p. 447.

Election of members to the District Board, Rangpur: (Q.) p. 446.

Habibullah, the Hon'ble Nawab Bahadur K., of Dacca—*(concld.)*

Excess payments made to rate collectors by ex-President of Pursura Union Board: (Q.) p. 190.

Government nominations to Barisal Municipality: (Q.) p. 186.

Grants to dispensaries in Baraset and Basirhat subdivisions, 24-Parganas: (Q.) p. 457.

Industrial and Agricultural Exhibition held at Arambagh in March, 1939: (Q.) p. 191.

Maladministration in Union Boards: (Q.) p. 189.

Nomination of members to Birbhum District Board: (Q.) p. 26.

Reservation of seats for minorities in the reconstitution of District Boards: (Q.) p. 183.

Supply of dietary materials and rations to Campbell Hospital: (Q.) p. 2.

Tour of the Director of Public Health: (Q.) p. 235.

Withdrawal by the Red Cross Society of their annual grants to Berhampore Sadar Hospital: (Q.) p. 3.

Hafizuddin Choudhuri, Maulvi

Demands for Grants—General Administration—Debt Conciliation: p. 127.

Hamiduddin Ahmad, Khan Sahib

Demands for Grants—Co-operation: p. 102.

Primary schools in Mymensingh and annual recurring expenditure thereon: (Q.) p. 364.

Hasanuzzaman, Maulvi Md.

Clerks in the Tippera Collectorate: (Q.) p. 69.

Election of President of No. 10 Kankapait Union Board, Tippera: (Q.) p. 374.

Hatemally Jamadar, Khan Sahib Maulvi

Settlement operation in Taluq Abad Debanthpur, Motabaria police-station, Barisal: (Q.) p. 220.

Hawkings, Mr. R. J.

Demands for Grants—Other Taxes and Duties: p. 142.

Hessian and raw jute futures markets: (Q.) p. 435.

High rate of rents in certain estates in Darjeeling: (Q.) p. 445.

Hostels for girls' schools in Calcutta: (Q.) p. 466.

Howrah-Hooghly Flushing and Irrigation Scheme: (Q.) p. 340.

Inadequacy of arrangements for treatment of cattle disease in certain police-stations of Dinajpur district: (Q.) p. 290.

Inadequate drainage and embankment in the district of Bakarganj: (Q.) p. 363.

Income and Expenditure of Darjeeling Improvement Fund for certain subdivisions of the district: (Q.) p. 225.

Increase in rates of passes issued to labourers for use of Reserve Forests: (Q.) p. 72.

Industrial and Agricultural Exhibition held at Arambagh in March, 1939: (Q.) p. 190.

Industries—Cinchona—43

Supplementary Demands: p. 243.

Institutions banned by Government in Faridpur District: (Q.) p. 81.

Intelligence Branch of Police in Midnapore: (Q.) p. 279.

Interest on Debt and other obligations—

22—Demands for Grants: p. 207.

Irrigational improvements in Basirhat and Baraset subdivisions, 24-Parganas: (Q.) p. 452.

Irrigation scheme for Pabna: (Q.) p. 371.

Issue of crop loans through Co-operative Crop Loan Societies in 1939-40: (Q.) p. 296.

Jalaluddin Ahmad, Khan Bahadur Maulvi

Demands for Grants—Forests: p. 36.

Demands for Grants—Veterinary: p. 154.

Enforcement of communal ratio decision in appointments under the Court of Wards: (Q.) p. 86.

Proposed delimitation of Chittagong District Board constituencies: (Q.) p. 269.

Jonab Ali Majumdar, Maulvi

Construction of Hajiganj-Matlab Road in Tippera: p. 372.

Kennedy, Mr. I. G.

Demands for Grants—Miscellaneous Departments: p. 195.

Hessian and raw jute futures markets: (Q.) p. 435.

Kundu, Mr. Nishitha Nath

Application for licence of cinema house at Dinajpur: (Q.) p. 490.

Census of infirm persons: (Q.) p. 464.

Notices served by Excise Inspector of Dinajpur on some excise vendors: (Q.) p. 359.

Leaving out of newly formed Khas Mahal char lands: (Q.) p. 395.

Maiti, Mr. Nikunja Behari

Construction of a bridge over Orissa Coast Canal at Satmail in Midnapore district: (Q.) p. 365.

Maji, Mr. Adwaita Kumar

Scheduled Caste employees in the Civil Courts of Burdwan district: (Q.) p. 4.

Scheduled Caste employees in Collectorates of the Burdwan Division: (Q.) p. 353.

Mal, Mr. Iswar Chandra

Bengal Tenancy (Third Amendment) Bill, 1939: p. 409.

Demands for Grants—Provincial Excise: p. 45.

Re-excavation of Ramnagar Drainage khal in Midnapore district: (Q.) p. 304.

Statistics of High English Schools for boys and girls in Bengal: (Q.) p. 72.

Maladministration in Union Boards: (Q.) p. 188.

Managing Committee of the Burdwan Town School: (Q.) p. 485.

Mandal, Mr. Banku Behari

Demands for Grants—Provincial Excise: p. 55.

Mandal, Mr. Krishna Prasad

Communal ratio of Civil Court clerks in the subdivisions of Midnapore: (Q.) p. 284.

Security deposits of Excise vendors: (Q.) p. 224.

Maniruzzaman Islamabadi, Maulana Md.

Confiscation of certain wakf properties in Chittagong: (Q.) p. 441.

Demands for Grants—Forests: p. 39.

Enhancement of notice fee by the Collector, Chittagong: (Q.) p. 352.

Increase in rates of passes issued to labourers for use of Reserve Forests: (Q.) p. 72.

Leaving out of nearly formed Khas Mahal char lands: (Q.) p. 395.

Maqbul Hosain, Mr.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 407, 408, 409.

Cattle epidemic in Kasba police-station, Tippera: (Q.) p. 273.

Demands for Grants—Veterinary: p. 150.

Free Primary Teachership Examination in Tippera district: (Q.) p. 489.

Theft cases in Burichang and Kasba police-stations in Tippera: (Q.) p. 460.

Title suits and money suits instituted in the Munsif's Courts at Brahmanbaria, Tippera: (Q.) p. 348.

Membership of certain Trade Unions in Calcutta: (Q.) p. 14.

Message from Council

Regarding Bengal Tenancy (Third Amendment) Bill, 1939: p. 308.

Regarding Bengal Jute Regulation Bill, 1940: p. 87.

Miscellaneous—57

Demands for Grants: pp. 207-212.

Miscellaneous Departments—47

Demands for Grants: pp. 191-206.

Mohammed Ali, Khan Bahadur

Bengal Wakf (Amendment) Bill, 1937: p. 326.

Conduct of the Inspector in charge of the Bogra Central Co-operative Bank, Ltd.: (Q.) p. 20.

Election of a Secretary by the District School Board, Bogra: (Q.) p. 346.

Sekander Beel in the khas mahal estate of Khanjanpur: (Q.) p. 75.

Travelling allowance paid to officers in connection with Gossaibari Co-operative Group Conference: (Q.) p. 78.

Moslem Ali Mollah, Maulvi M.

Extension of service to the Chief Executive Officer, Corporation of Calcutta: (Q.) p. 297.

Movement of Co-operative Marketing of Jute: (Q.) p. 70.

Mozammel Huq, Maulvi Md.

Demands for Grants—Co-operation: p. 106.

Expenditure on commutation of pensions: (Q.) p. 80.

Muhammad Ibrahim, Maulvi

Appointment of teachers under the District School Board, Noakhali: (Q.) p. 222.

Communal proportion of upper division clerks in Civil Courts of Noakhali: (Q.) p. 346.

Percentage of Muslims in various services in the Irrigation Department: (Q.) p. 222.

Muhammad Israil, Maulvi

Bengal Village Self-Government (Amendment) Bill, 1939: p. 327.

Demands for Grants—Veterinary: p. 156.

Mukherji, Mr. Dhirendra Narayan

Excess payments made to rate collectors by ex-President of Pursura Union Board: (Q.) p. 189.

Industrial and Agricultural Exhibition held at Arambagh in March, 1939: (Q.) p. 190.

Mukherji, Dr. Sharat Chandra

Nomination of members to Birbhum District Board: (Q.) p. 26.

Mullick, Srijut Ashutosh

Demands for Grants—Veterinary: p. 151.

Mullick, the Hon'ble Mr. Mukunda Behary

Circular from Registrar, Co-operative Societies, to Secretaries of Central Co-operative Banks: (Q.) p. 286.

Conduct of the Inspector in charge of the Bogra Central Co-operative Bank, Ltd.: (Q.) p. 20.

Conduct of scheduled banks in mufassal areas: (Q.) p. 463.

Demands for Grants—Co-operation: pp. 89, 115.

Demands for Grants—General Administration—Debt Conciliation: pp. 121, 129.

Government action on resolution passed by Third Divisional Co-operative Conference in the Chittagong Division: (Q.) p. 390.

Issue of crop loans through Co-operative Crop Loan Societies in 1939-40: (Q.) p. 297.

Movement of Co-operative Marketing of Jute: (Q.) p. 71.

Scheme for scaling down co-operative debts of members of societies: (Q.) pp. 378, 462.

Transfer of the present Divisional Auditor, Chittagong Division: (Q.) p. 379.

Travelling allowance paid to officers in connection with Gossaibari Co-operative Group Conference: (Q.) p. 74.

Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur

Appointment of clerks by District Judge of Bakarganj since 1st April, 1937: (Q.) p. 369.

Bengal Marriage Dowry Prevention Bill, 1939: p. 327.

Communal proportion of upper division clerks in Civil Courts of Noakhali: (Q.) p. 347.

Communal ratio in Bengal Administrator-General's office: (Q.) p. 305.

Communal ratio in clerical services in civil courts, Rangpur: (Q.) p. 460.

Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur—(*concld.*)

Communal ratio of Civil Court clerks in the subdivisions of Midnapore: (Q.) p. 284.

Promotions in the office of the Administrator-General and Official Trustee, Bengal: (Q.) p. 338.

Staff in the office of the Administrator-General and Official Trustee of Bengal: (Q.) p. 398.

Title suits and money suits instituted in the Munsif's courts at Brahmanbaria, Tippera: (Q.) p. 348.

Muslim Female Training School at Chittagong: (Q.) pp. 288, 442.

Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar

Allotment for road and waterworks in the rural areas of Kurigram subdivision, Rangpur (Q.) p. 453.

Communal ratio in appointments under Executive Engineer, Eastern Circle. (Q.) p. 172.

Demands for Grants—Charges on account of Motor Vehicles Acts: p. 134.

Excavation of Lohajang-Taltola khal in Dacca. (Q.) p. 450.

Irrigational improvements in Basirhat and Baraset subdivisions, 24-Parganas: (Q.) p. 452.

Re-excavation of the Balchha river in Mymensingh: (Q.) p. 3.

Scheduled Caste employees under the Communications and Works Department at Dacca: (Q.) p. 228.

Silting up of Kalidas khal and Kamodia khal in Shalikha police-station, Jessore: (Q.) p. 180.

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.

Adjournment motion: p. 513.

Allegations against some soldiers of the Frontier Force Regiment stationed at Dacca: (Q.) p. 427

Nazimuddin, the Hon'ble Khwaja Si K.C.I.E.—(*contd.*)

Application for licence of cinema hous at Dinajpur: (Q.) p. 490.

Application of the Defence of Indi Rules in Bengal: (Q.) p. 75.

Arrangement for prayers in Pabna Ja and Serajganj Sub-Jail: (Q.) p 449.

Arrests made in Faridpur district sinc the outbreak of war under th Defence of India Rules: (Q.) p 260.

Arrests made under the Defence c India, Indian Penal Code an Criminal Procedure Code in Jalpa guri. (Q.) p. 257.

Blasphemous writing in the dail Azad (Q.) p. 450.

Communal ratio of dismissed Polic Sub-Inspectors (Q.) p. 300.

Cost of liveries of dafadars and chow kidars in Union Boards of Rangpu district. (Q.) p. 381.

C. S. Roll in Police service: (Q.) p 174.

Dacoities committed during the las five years: (Q.) p. 85.

Demands for Grants—Extraordinary Charges in India: p. 214.

Dismissal of two workers of the generating station of the Calcutta Electric Supply Corporation at Metiaburz: (Q.) p. 177.

Employment of Bengalees in the Armed Branch of the Police Department: (Q.) p. 68.

Enforcement of communal ratio decision in appointments under the Court of Wards: (Q.) p. 87.

Establishment of an additional Court of Deputy Magistrate at Dinajpur: (Q.) p. 230.

Forced labour of under-trial prisoners in hajats: (Q.) p. 83.

Forcible ejectment of Gyan Chandra Panda from homestead at Rupmari, Hasnabad, 24-Parganas: (Q.) p. 228

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.—(*contd.*)

Grant of land to retired Gurkha military officers at Darjeeling: (Q.) p. 463.

Institutions banned by Government in Faridpur district: (Q.) p. 81.

Intelligence Branch of Police in Midnapore: (Q.) p. 279.

Notice served on Mr. Niharendu Dutta Mazumdar, M.L.A., by Bihar police: (Q.) p. 377.

Offences against women: (Q.) p. 233.

Persons arrested or convicted under Defence of India Act, 1938, in Bengal: (Q.) p. 183.

Persons warned, arrested or convicted under the Defence of India Ordinance, 1939, in Bengal: (Q.) p. 259.

Programme of Business—Motor Vehicles Rules: pp. 281, 282.

Promotion of Assistant Sub-Inspectors of Police in Rajshahi Division: (Q.) p. 379.

Recruitment of Calcutta Police: (Q.) p. 230.

Recruitment of constables from amongst the inhabitants of the 24-Parganas: (Q.) p. 301.

Refusal of permission to Students' Federation to hold meeting in Chittagong: (Q.) p. 263.

(For the Minister in charge of the Revenue Department.) Remission of rents to khas mahal tenants in Sandvip, Hatiya and Ramgati Circles, Noakhali: (Q.) p. 73.

Restriction of motor lorries from running on Hill Cart road: (Q.) p. 187.

Results of Bengal Civil Service Examination held in February 1939: (Q.) p. 84.

Supplementary Demands—Extraordinary charges in India: p. 249.

Suspension of work in Criminal Courts at Manikganj on Fridays during prayer time: (Q.) p. 255.

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.—(*concld.*)

Theft cases in Burichang and Kasba police-stations in Tippera: (Q.) p. 460.

(For the Minister in charge of the Revenue Department.) Clerical strength in Land Acquisition Offices, Calcutta: (Q.) p. 70.

(For the Minister in charge of the Revenue Department.) Clerks in the Tippera Collectorate: (Q.) p. 69.

(For the Minister in charge of the Revenue Department.) Postponement of realisation of settlement cost in Kurigram subdivision, Rangpur: (Q.) p. 76.

(For the Minister in charge of the Revenue Department.) Sekander Beel in the khas mahal estate of Khanjanpur: (Q.) p. 75.

Nomination of members to Birbhum District Board: (Q.) p. 26.

Non-official Bills

Bengal Marriage Dowry Prevention Bill, 1939: p. 327.

Bengal Municipal (Amendment) Bill, 1937: pp. 315-324.

Bengal Non-Agricultural Tenancy Bill, 1939: pp. 326-327.

Bengal Village Self-Government (Amendment) Bill, 1939: pp. 327-333.

Bengal Wakf (Amendment) Bill, 1937: pp. 326-327.

Notices served by Excise Inspector of Dinajpur on some excise vendors: (Q.) p. 359.

Notice served on Mr. Niharendu Dutta Mazumdar, M.L.A., by Bihar police: (Q.) p. 376.

Obituary

Mr. Mahim Chandra Das: p. 336.

Objection against certification of some Trade Unions: (Q.) p. 17.

Offences against women: (Q.) p. 232.

Other Taxes and Duties—13

Demands for Grants: pp. 135-146.

Paul, Sir Hari Sanker

Supplementary Demands—Industries—Cinchona: p. 245.

Percentage of Muslims in various services in the Irrigation Department: (Q.) p. 222.

Persons arrested or convicted under Defence of India Act, 1938, in Bengal: (Q.) p. 183.

Persons warned, arrested or convicted under the Defence of India Ordinance, 1939, in Bengal: (Q.) p. 258.

Point of order

Regarding arrangement of business about a non-official Bill passed by the Council and sent to the Assembly p. 331

Regarding right of member to make his observations during discussion. pp. 206-209

Ports and Pilotage—30

Demands for Grants p. 206

Supplementary Demands p. 242.

Postponement of realisation of settlement cost in Kurigram subdivision, Rangpur: (Q.) p. 75

Pramanik, Mr. Tarinicharan

Development of silk industry in Malda: (Q.) p. 164

Principal of the Jagannath Intermediate College, Dacca: (Q.) p. 289.

Primary schools in Mymensingh and annual recurring expenditure thereon: (Q.) p. 364

Principal of the Jagannath Intermediate College, Dacca: (Q.) p. 289.

Programme of Business

Motor Vehicles Rules pp. 281-283.

Promotions

In the office of the Administrator-General and Official Trustee, Bengal (Q.) p. 338.

Of Assistant Sub-Inspectors of Police in Rajshahi Division (Q.) p. 379

Proposed Delimitation of Chittagong District Board Constituencies: (Q.) p. 269

Proposed transfer of a certain area round Buxa Cantonment in Jalpaiguri district to Forest Department: (Q.) p. 393

Prorogation: p. 520

Protective measures against water-hyacinth

In Arial *bil* area in Dacca (Q.) p. 165.

Provincial Excise 8

Demands for Grants pp. 41-66

Publication in the Ananda Bazar Patrika

Of an article regarding multiplication of maktabs (Q.) p. 6

Qualification of the Textile Superintendent

And the Head Master, Government Silk Weaving Institute. (Q.) p. 266.

Raikut, the Hon'ble Mr. Prasanna Deb

Appointment of Excise Officers from among Bengal Civil Service examinees: (Q.) p. 24.

Communal ratio in appointments of Superintendents and Inspectors of Excise: (Q.) p. 219.

Demands for Grants—Forests. pp. 27, 41.

Demands for Grants—Provincial Excise: pp. 41, 61.

Excise shops held by members of different communities in Rangpur. (Q.) p. 188.

Expenditure for the office of the Conservator of Forests: (Q.) p. 262.

Increase in rates of passes issued to labourers for use of Reserve Forests. (Q.) p. 72.

Notices served by Excise Inspector of Dinajpur on some excise vendors: (Q.) p. 359.

Security deposits of excise vendors: (Q.) p. 224.

Supplementary Demands—Industries—Cinchona: pp. 243, 245, 246.

Ramizuddin Ahmed, Mr.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 408, 410.

Ray Choudhury, Mr. Birendra Kishore

Demands for Grants—Co-operation: p. 107.

Recruitments

Made under Jute Registration Scheme in 1939. (Q.) p. 169.

Of Calcutta Police: (Q.) p. 230.

Of constables from amongst the inhabitants of the 24-Parganas: (Q.) p. 301.

Of typists for Secretariat by competitive examination. (Q.) p. 396.

Red Cross Society

Withdrawal by the—of their annual grants to Berhampore Sadar Hospital: (Q.) p. 2.

Re-excavation

Of the Balchha river in Mymensingh: (Q.) p. 3.

Of Ramnagar drainage khal in Midnapore district: (Q.) p. 304.

Refusal of permission to Students' Federation to hold meeting in Chittagong: (Q.) p. 263.

Registration—11

Supplementary Demands: p. 242.

Remission

Of current rent and interest on arrear rents in Janbazar Wards Estate in Dinajpur: (Q.) p. 495

Of rents to khas mahal tenants in Sandvip, Hatiya and Ramgati Circles, Noakhali (Q.) p. 73.

Repayment of agricultural loans in certain parts of Serajganj subdivision: (Q.) p. 464.

Representation of the Scheduled Castes on the Union Board and Benches in Dacca: (Q.) p. 375.

Reservation

Of posts of Muhammadan Marriage Registrars for old scheme Final Madrassah passed Maulvis (Q.) p. 26.

Of seats for minorities in the reconstitution of District Boards: (Q.) p. 182

Restriction of motor lorries from running on Hill Cart road: (Q.) p. 186.

Results of Bengal Civil Service Examination held in February, 1939: (Q.) p. 84.

Rise in prices of foodstuffs commonly used by industrial workers in Bengal since the outbreak of the war: (Q.) p. 474.

Roy, the Hon'ble Sir Bijoy Prasad Singh

Bengal Municipal (Amendment) Bill, 1937: p. 316.

Bengal Non-Agricultural Tenancy Bill, 1939: p. 327.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 406, 420, 421, 422, 431, 432, 433.

Bengal Village Self-Government (Amendment) Bill, 1939: p. 332.

Census of infirm persons (Q.) p. 464.

Communal ratio in temporary Land Acquisition Department started at Dacca Collectorate: (Q.) p. 296.

Communal ratio of clerks in certain offices in Darjeeling: (Q.) p. 444.

Demands for Grants—Other Taxes and Duties: p. 135.

Distress of people of Sandwip and certain other islands due to erosion caused by the Meghna. (Q.) p. 393.

Distress of people of Serajganj subdivision due to failure of crops: (Q.) p. 77.

Enhancement of notice fee by the Collector, Chittagong: (Q.) p. 352

Estates under the Court of Wards in Rangpur (Q.) p. 181.

Extension of services of clerks in Deputy Commissioner's office, Darjeeling. (Q.) p 350

Fisheries settled by the East India Company. (Q.) p. 10.

Grievances of adhiars in khas mahal areas in Jalpaiguri: (Q.) p. 302.

High rate of rents in certain estates in Darjeeling (Q.) p. 445.

Income and expenditure of Darjeeling Improvement Fund for cetain subdivisions of the district. (Q.) p 226

Leaving out of nearly formed khas mahal char lands: (Q.) p. 395.

Proposed transfer of a certain area round Buxa Cantonment in Jalpaiguri district to Forest Department: (Q.) p. 394.

Roy, the Hon'ble Sir Bijoy Prasad Singh—*(contd.)*

Remission of current rent and interest on arrear rents in Janbazar Wards Estate in Dinajpur: (Q.) p. 495.

Repayment of agricultural loans in certain parts of Serajganj subdivision: (Q.) p. 464.

Scheduled Caste employees in Collectorates of the Burdwan Division. (Q.) p. 353.

Selection of Assistant Settlement Officers from Sub-Deputy and Deputy Collectors: (Q.) p. 391.

Settlement operation in Taluq Abad Debanthpur, Motabaria police-station, Barisal. (Q.) p 220

Submission of returns by Dacca Collectorate showing non-Scheduled Caste employees as Scheduled Caste ones: (Q.) p. 299.

Supplementary Demands—Stamps: p. 242

Vacancies filled up by different communities in the Khas Mahal Department of Bengal (Q.) p. 358.

(On behalf of the Minister in charge of the Communications and Works Department.) Assessment of Government buildings by Corporation of Calcutta. (Q.) p. 382.

(On behalf of the Minister in charge of the Communications and Works Department.) Construction of a bridge over Orissa Coast Canal at Satmail in Midnapore district (Q.) p. 366.

(On behalf of the Minister in charge of the Communications and Works Department.) Drainage and embankment of Satla *bil* area in Bakarganj district: (Q.) p 370.

(On behalf of the Minister in charge of the Communications and Works Department.) Drainage of Datbhanga *bil* in Basirhat subdivision, 24-Parganas: (Q.) p. 367.

(On behalf of the Minister in charge of the Communications and Works Department.) Howrah-Hooghly Flushing and Irrigation Scheme: (Q.) p. 341.

Roy, the Hon'ble Sir Bijoy Prasad Singh—(*contd.*)

(On behalf of the Minister in charge of the Communications and Works Department.) Inadequate drainage and embankment in the district of Bakarganj: (Q.) p. 363.

(On behalf of the Minister in charge of the Communications and Works Department.) Irrigation scheme for Pabna: (Q.) p. 371.

(On behalf of the Minister in charge of the Communications and Works Department.) Percentage of Muslims in various services in the Irrigation Department (Q.) p. 222

(On behalf of the Minister in charge of the Communications and Works Department.) Silting up of the Hurasagar and certain other rivers in Pabna: (Q.) p. 370.

(On behalf of the Minister in charge of the Communications and Works Department.) Silting up of the tributaries of the Padma flowing through East Madaripur, Faridpur (Q.) p. 224.

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Budget estimate of Bhogdanga Union Board, Kurigram, for 1347 B.S. (Q.) p 386.

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Construction of Hajiganj-Matlab Road in Tippera. (Q.) p. 373

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Election of President of No. 10 Kankapait Union Board, Tippera: (Q.) p 374

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Eligibility of Government servants for election to the District Board by Local Boards: (Q.) p. 361.

Roy, the Hon'ble Sir Bijoy Prasad Singh—(*concl.*)

(On behalf of the Minister in charge of Public Health and Local Self-Government Department.) Extension of service to the Chief Executive Officer, Corporation of Calcutta: (Q.) p. 298.

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Representation of the Scheduled Castes on the Union Boards and Benches in Dacca (Q.) p. 375.

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Tube-well contractors enlisted in the Dacca Collectorate: (Q.) p. 362.

Roy, Mr. Charu Chandra

Demands for Grants Veterinary p 146

Roy, Mr. Dhananjoy

Excavation of Lohajang-Taltola *khal* in Dacca (Q.) p. 449.

Fisheries settled by the East India Company (Q.) p 10

Representation of the Scheduled Castes on the Union Boards and Benches in Dacca: (Q.) p 375.

Scheduled Caste employees under the Communications and Works Department at Dacca: (Q.) p. 228.

Sub-Inspector of Schools for the Srinagar Circle: (Q.) p. 465.

Submission of returns by Dacca Collectorate showing non-Scheduled Caste employees as Scheduled Caste ones: (Q.) p. 298.

Roy, Mr. Kamalkrishna

Adjournment motion: p. 507.

Roy, Mr. Patiram

Betel leaf cultivation in Bengal: (Q.) p. 350.

Communal ratio in Bengal Administrator-General's office: (Q.) p. 305.

Movement of Co-operative Marketing of Jute (Q.) p. 70

Sahabe-Alum, Mr. Syed

Tube-well contractors enlisted in the Dacca Collectorate (Q.) p. 361

Sanaullah, Dr.

Amount of stipend of students under training in temporary training centres (Q.) p. 143

Conduct of scheduled banks in mufassal areas (Q.) p. 162.

Sanyal, Dr. Nalinaksha

Appointment of Committees or Commissions by Government since the 1st April, 1937: (Q.) p. 77

Appointments on the recommendation of the Public Service Commission (Q.) p. 273

Arrests made in connection with Government measure to control profiteering (Q.) p. 177

Assessment of Government buildings by Corporation of Calcutta (Q.) p. 381.

Board of Apprenticeship Training Examination (Q.) p. 148

Demands for Grants Co-operation p. 93.

Demands for Grants—Extraordinary charges in India p. 214

Demands for Grants—Other Taxes and Duties: p. 135.

Grant of permission to departmental officers to apply for direct appointment. (Q.) p. 345.

Programme of Business Motor Vehicles Rules: pp. 281, 282 and 283.

Supplementary Demands—Industries, Cinchona: p. 243.

Sanyal, Mr. Sasanka Sekhar

Adjournment motion: p. 503.

Employment of Bengalees in the Armed Branch of the Police Department: (Q.) p. 67.

Withdrawal by the Red Cross Society of their annual grants to Berhampore Sadar Hospital (Q.) p. 2

Sarkar, Babu Madhusudan

Irrigation scheme for Pabna. (Q.) p. 371

Scheduled Caste employees

In the Civil Courts of Burdwan District (Q.) p. 4

In Collectorates of the Burdwan Division (Q.) p. 353.

Under the Communications and Works Department at Dacca (Q.) p. 228

Scheme for scaling down co-operative debts of members of societies: (Q.) pp. 477, 461.

Security deposits of Excise vendors: (Q.) p. 224

Sekander Beel in the Khas Mahal estate of Khanjanpur: (Q.) p. 75

Selection of Assistant Settlement Officers from Sub-Deputy and Deputy Collectors: (Q.) p. 391

Sen, Mr. Atul Chandra

Allegations against some soldiers of the Frontier Force Regiment stationed at Dacca (Q.) p. 486.

Settlement operation

In Taluk Abad Debanthpur, Motabaria police-station, Barisal (Q.) p. 220.

Shahedali, Mr.

Bengal Tenancy (Third Amendment) Bill, 1939: pp. 408, 417

Demands for Grants—Miscellaneous; p. 211.

Silting up

Of the Hurasagar and certain other rivers in Pabna: (Q.) p. 370.

Of Kalidas *khal* and Kamodia *khal* in Shalikha police-station, Jessore: (Q.) p. 180.

Of the tributaries of the Padma flowing through East Madaripur, Faridpur: (Q.) p. 223.

Singha, Babu Kshetra Nath

Communal ratio in clerical services in Civil Courts, Rangpur: (Q.) p. 459.

Demands for Grants—Provincial Excise: p. 51.

Election of members to the District Board, Rangpur: (Q.) p. 446.

Estates under the Court of Wards in Rangpur: (Q.) p. 181.

Excise shops held by members of different communities in Rangpur: (Q.) p. 187.

Sinha, Srijut Manindra Bhusan

Eligibility of Government servants for election to the District Board by Local Boards: (Q.) p. 360.

Smith, Mr. H. Brabant

Demands for Grants—Forests p. 34

Speaker, Mr. (The Hon'ble Khan Bahadur M. Azizul Haque, C.I.E.)

Rulings and observations on

Arrangement of business about a non-official Bill passed by the Council and sent to the Assembly. pp. 334-336.

The right of member to make his observations during discussion pp. 206-209.

Splitting up of the Muhammadan Marriage Registration office at Jamalpur, Mymensingh: (Q.) p. 11.

Staff in the office of the Administrator-General and Official Trustee of Bengal: (Q.) p. 398.

Stamps—9

Supplementary Demands: p. 242.

Stationery and Printing—56

Supplementary Demands: p. 247.

Stationery and Printing and Depreciation Reserve Fund—Government Presses—56

Demands for Grants: p. 206.

Statistics of High English Schools for boys and girls in Bengal: (Q.) p. 72.

Sub-Inspector of Schools for the Srinagar Circle: (Q.) p. 465.

Submission of returns by Dacca Collectorate

Showing non-Scheduled Caste employees as Scheduled Caste ones: (Q.) p. 298.

Suhrawardy, the Hon'ble Mr. H. S.

Allotment and expenditure from Government of India's Rural Uplift Grants in Pabna district. (Q.) p 176.

Appointment of Committees or Commissions by Government since the 1st April, 1937 (Q.) p. 77.

Appointments on the recommendation of the Public Service Commission (Q.) p. 274.

Arrests made in connection with Government measure to control profiteering: (Q.) p. 478

Death of Nurujaman, a worker of Dayamoyee Jayanti Sugar Mills, at Kishoreganj (Q.) p. 476.

Demands for Grants—Deposits and Advances: p 213.

Demands for Grants—Extraordinary charges in India: p. 215.

Demands for Grants—Interest on Debt and other obligations: p. 207.

Demands for Grants—Miscellaneous: pp. 207, 212.

Suhrawardy, the Hon'ble Mr. H. S.—(*contd.*)

Demands for Grants—Miscellaneous Departments: pp. 192, 200.

Demands for Grants—Other Taxes and Duties: p. 143.

Demands for Grants—Ports and Pilotage p. 206.

Demands for Grants—Stationery and Printing and Depreciation Reserve Fund—Government Presses: p. 206.

Demands for Grants—Superannuation allowances and pensions, commutations of pensions financed from ordinary revenues and payment of commuted value of pensions not charged to revenue. p. 207

Expenditure on commutation of pensions. (Q.) p. 80.

Hessian and raw jute futures markets (Q.) p. 435.

Membership of certain Trade Unions in Calcutta. (Q.) p. 14.

Objection against certification of some Trade Unions (Q.) p. 17.

Recruitment of typists for Secretariat by competitive examination (Q.) p. 397.

Rise in prices of foodstuffs commonly used by industrial workers in Bengal since the outbreak of the war (Q.) p. 174.

Supplementary Demands p. 240.

Supplementary Demands—Extraordinary charges in India p. 248.

Supplementary Demands—Ports and Pilotage p. 242.

(On behalf of the Chief Minister.) Supplementary Demands—Registration: p. 242.

Supplementary Demands—Stationery and Printing: Deposits and Advances. p. 247.

(On behalf of the Minister in charge of the Co-operative Credit and Rural Indebtedness Department.) Establishment of Debt Settlement Boards in Chittagong (Q.) p. 221.

Suhrawardy, the Hon'ble Mr. H. S.—(*concld.*)

(On behalf of the Minister in charge of the Education Department.) Appointment of teachers under the District School Board, Mymensingh (Q.) p. 223.

Superannuation allowances and pensions

Commutations of pensions finance from ordinary revenues and payment of commuted value of pensions not charged to revenue (55, 55A and 83—Demands for Grants: p. 207.

Superintendent of the Royal Botanical Garden, Sibpur: (Q.) p. 12

Supplementary Demands: pp. 235-253.

Supply of dietary materials and rations to Campbell Hospital: (Q.) p. 1

Sur, Mr. Harendra Kumar

Curriculum for primary schools in muktab areas. (Q.) p. 484.

Establishment of a district agricultural farm in Noakhali (Q.) p. 223

Reservation of seats for minorities in the reconstitution of District Boards (Q.) p. 182

Suspension of tour work

By Inspecting Officers at Mymensingh (Q.) p. 71.

Suspension of work

In Criminal Courts at Manikganj on Fridays during prayer time (Q.) p. 254.

Tamizuddin Khan, the Hon'ble Mr.

Agricultural improvement in Bataset and Basirhat subdivisions, 24-Parganas: (Q.) p. 226.

Betel leaf cultivation in Bengal: (Q.) p. 351.

Board of Apprenticeship Training Examinations (Q.) p. 448

Tamizuddin Khan, the Hon'ble Mr.—(*contd.*)

Cattle epidemic in Kasba police-station, Tippera: (Q.) p. 273.

Demands for Grants—Veterinary pp 146, 158.

Development of silk industry in Malda: (Q.) p. 165.

Establishment of a district agricultural farm in Noakhali. (Q.) p. 223.

Expansion of Zorwarganj Government Weaving School (Q.) p. 133.

Grants to anti-malarial societies in Pabna: (Q.) p. 164

Grants to non-Government Technical Schools (Q.) p. 339.

Inadequacy of arrangements for treatment of cattle disease in certain police-stations of Dinajpur district. (Q.) p. 291.

Protective measures against water-hyacinth in Arial *bil* area in Dacca (Q.) p. 166.

Qualifications of the Textile Superintendent and the Head Master, Government Silk Weaving Institute (Q.) p 266

Recruitments made under Jute Registration scheme in 1939 (Q.) p 169.

Re-excavation of Rannagar Drainage *khal* in Midnapore district (Q.) p 304.

Superintendent of the Royal Botanical Garden, Sibpur (Q.) p 13

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Fees for examination of the students of the Medical Faculty, Bengal (Q.) p 225.

(On behalf of the Minister in charge of the Local Self-Government Department.) Government nominations to Barisal Municipality. (Q.) p 170

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Proposed delimitation of Chittagong District Board constituencies. (Q.) p 269

Tamizuddin Khan, the Hon'ble Mr.—(*concld.*)

(On behalf of the Minister in charge of the Public Health and Local Self-Government Department.) Water-supply schemes in the rural area of Mymensingh. (Q.) p. 271.

Theft cases in Burichang and Kasba police-stations in Tippera: (Q.) p. 460.

Title suits and money suits

Instituted in the Munsif's Courts at Brahmanbaria, Tippera (Q.) p. 348.

Tour of the Director of Public Health: (Q.) p. 235.

Trade Unions

Membership of certain—in Calcutta: (Q.) p 14.

Objection against certification of some (Q.) p. 17.

Transfer of the present Divisional Auditor, Chittagong Division: (Q.) p 378

Travelling allowance

Paid to officers in connection with Gossaibari Co-operative Group Conference (Q.) p 73

Tube-well

Contractors enlisted in the Dacca Collectorate (Q.) p. 361.

Vacancies

Filled up by different communities in the Khas Mahal Department of Bengal (Q.) p. 358

Veterinary—41

Demands for Grants. pp 146-162.

Waliur Rahman, Maulvi

Demands for Grants—Miscellaneous: p. 210

Silting up of Kalidas *khal* and Kamodia *khal* in Shalikha police-station, Jessore: (Q.) p. 180.

Walker, Mr. J. R.

Hessian and raw jute futures markets: (Q.) p. 435.

Walker, Mr. W. A. M.

Hessian and raw jute futures markets: (Q.) p. 435.

Water-supply schemes in the rural area of Mymensingh: (Q.) p. 271.

Withdrawal by the Red Cross Society

Of their annual grants to Berhampore Sadar Hospital: (Q.) p. 2.

Withdrawal of ban on newspapers: (Q.) p. 359.

Wordsworth, Mr. W. C.

Demands for Grants—Co-operation: p. 100.

B. G. Press—1940-41—8800A—700.